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ABSTRACT

The bibliography on handicapped adult offenders covers all aspects of the criminal justice process--arrest, pretrial evaluation, determination of competency to stand trial, civil vs. criminal proceedings, and community and institutional treatment. An introduction discusses the number of offenders who are mentally retarded or physically handicapped; the personal, legal, and civil rights of offenders; judicial intervention; victimization of handicapped offenders; and alternative programs. One hundred and eighty-two citations are divided into the following categories: the problem (special needs and problems of handicapped offenders); recognition and classification of the handicapped; the link between disability and crime (research studies of epilepsy, chromosomal abnormalities, mental illness, mental retardation, and other development disorders that are suspected of disposing individuals to criminal acts); programs and services; personal/civil rights (covering the issues of commitment, treatment, safety, criminal responsibility, competency to stand trial, and other legal problems); deinstitutionalization (service integration models, employment services, discrimination, and other aspects of deinstitutionalization); and reference materials (bibliographies and directories). Each entry contains the author, title, source, publication date, National Criminal Justice Reference Service number, an abstract, supplemental notes, and availability information. Entries are listed alphabetically by author within subject areas and are indexed by subject, author, and title. Information for obtaining the documents is given. (SW)

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Photos, clockwise from top right: courtesy of the Illinois Department of Corrections; photo by David Touch, courtesy of the President's Committee on Mental Retardation; courtesy of the Illinois Department of Corrections.

THE HANDICAPPED OFFENDER

A Selected Bibliography

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National Criminal Justice Reference Service

December 1981

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—W. Donald Pointer

PART I
INTRODUCTION

FOCUS ON.....

THE HANDICAPPED OFFENDER

Photo by David Touch, courtesy of the President's Committee on Mental Retardation

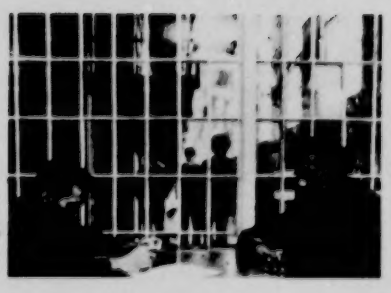
The personal and legal problems of handicapped offenders were dramatized for the public in the televised movie "Dummy." The film portrayed the experiences of an illiterate deaf-mute who has spent 15 years in mental institutions and jails. Twice accused of murder, the youth cannot be tried because he cannot participate in his own defense. He will not be able to participate in his own defense until he learns how to communicate with others. Although he is capable of learning sign language, he is in a jail that lacks instruction in sign language.

This poignant account of a handicapped person enmeshed in a seemingly interminable and frustrating series of encounters with police, lawyers, courts, and other criminal justice personnel and agencies illustrates the need for specialized programs and services for the handicapped.

Growing awareness of the special needs of mentally and physically handicapped offenders is accompanied by a disturbing realization: There are almost no resources and programs to meet these needs (see entry 3).

How Many Offenders Are Mentally Retarded or Physically Handicapped?

Although estimates of the number of mentally retarded adult offenders vary, there are proportionally more mentally retarded persons in prisons and jails than in the general population (see entry 8). For example, a Missouri study identified only 3 percent of the State's general population as retarded, while approximately 10 percent of the correctional institutions' population and 6 to 7 percent of the probationers and parolees were identified as retarded (entry 23). These findings parallel those of a national survey conducted by the George Washington University Institute of Law, Psychiatry, and Criminology in 1966 (entry 25). Estimates by corrections professionals range from 9 percent nationally to as high as 30 percent in some States. Clearly the exact number is unknown, but the lower estimates are probably close to the mark.



Staff photo

In addition to retarded inmates in correctional institutions, many retarded offenders are confined in State institutions for the retarded (see, for example, entry 14). In 1975 Miles Santamour and Bernadette West conducted an informal survey of 141,000 institutionalized retarded persons (entry 16). They found that 5 percent — or 7,050 — could be classified as retarded offenders who had been directed to such institutions by courts or social agencies in lieu of jail or prison.

Although the discussion thus far is limited to mentally handicapped offenders, the term "handicapped" applies to physically handicapped offenders as well. However, we know even less about their numbers and needs than we do about

the mentally handicapped. In one of the few studies with data about physically handicapped offenders, the California State legislature identified 160 inmates with physical disabilities when they surveyed the State prison population to determine correctional needs (entry 104). We can only assume that correctional institutions have inadequate provisions for the physically handicapped offender.*

Photo courtesy of the Illinois Dept. of Corrections

What Are the Problems?

One of the basic problems in developing and operating adequate programs for mentally handicapped offenders is the lack of a universally accepted definition of mental retardation. According to the American Association of Mental Deficiency (AAMD), persons with IQ's of less than 70 who are unable to adapt to their living situtations are mentally retarded. This description applies only to individuals whose conditions are apparent before they reach intellectual maturity or the age of 18.

Recognizing disabled offenders is one problem; managing them is another. A survey of Missouri criminal justice personnel—defense attorneys, public defenders, prosecutors, judges — found none who had any specialized training in dealing with the mentally retarded offender. The survey also confirmed the difficulty in even recognizing retarded offenders (entry 23). Another deficiency the survey uncovered was the lack of a legal distinction between mentally ill and mentally retarded offenders. In a similar survey of 400 social service and criminal justice agencies in Ohio, the results were comparable.

Many other surveys have documented the serious inadequacies of existing programs and services for mentally and physically handicapped offenders (entries 19, 30, and others). The problems include:

- Lack of appropriate treatment facilities
- Inadequate training of personnel to identify, classify, and treat the disabled offender
- Limited community treatment alternatives
- Inadequate diagnostic services
- Abuse and exploitation in institutional settings
- Lack of appropriate programming
- Infringements of personal, legal, and constitutional rights
- Inadequate staff advocacy in program decisions, release planning, parole consideration, and employment placement
- Development of a negative stereotype for the training potential of the mentally retarded offender.

Photo by David Tauch, courtesy of the President's Committee on Mental Retardation

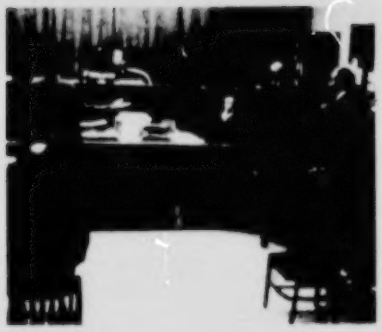
Personal, Legal, and Civil Rights

Dealing with the criminal justice system can be a problem for intelligent, healthy, and well-educated individuals. For the retarded or disabled, the system is often confusing and traumatizing. Vision, speech, and hearing impairments,

Staff photo

*There are virtually no guidelines for adapting correctional facilities to the needs of the handicapped. However, there are standards and guides for making the general environment barrier-free. See especially, *Into the Mainstream: A Syllabus for a Barrier-Free Environment* by Stephen A. Kilment (Washington: American Institute of Architects, 1975); and *Specifications for Making Buildings and Facilities Accessible to and Usable by Physically Handicapped People* (ANSI A117.1-1980; American National Standards Institute: New York, 1980).

Photo by David Bush, courtesy of the President's Committee on Mental Retardation



Jail photo

epilepsy and other convulsive disorders, paralysis, mild or severe retardation, and serious learning disabilities can turn the maze of legal procedures into a frightening and frustrating ordeal.

There are many issues involved in the challenge to provide greater fairness, responsiveness, and justice for handicapped persons in conflict with the law (see entries 111-155). An examination of statutory and case law points to the major issues:

- Competency to stand trial and use of insanity or diminished capacity as a defense in a criminal prosecution.
- Adequacy of legal advocacy programs
- Existence of equal treatment at each stage of the process, including interrogation, indictment, trial, decision, sentencing, incarceration, and release consideration
- Civil vs. criminal confinement.

Judicial Intervention

Judicial activism about the conditions of confinement has increased during the past decade, especially in the lower courts. In some cases, lower court rulings on constitutional violations in prisons and jails have led to improved programs, services, and facilities. While upholding lower court decisions on Constitutional deficiencies, the higher courts have shown a consistent reluctance to set standards that mandate increased government expenditures for corrections. Some improvements needed to meet court recommendations would entail increased government spending — a province most higher courts view as that of State legislatures (entry 8).

Victimization of Handicapped Offenders

Naive or retarded and physically disabled incarcerated offenders are particularly vulnerable to exploitation by stronger and more aggressive inmates. This problem exists in all confined populations — mental institutions, nursing homes, juvenile centers — as well as prisons and jails. To assure protection of institutionalized individuals, Congress passed "The Civil Rights of Institutionalized Persons Act" of 1980, which authorizes the U.S. Attorney General to intervene in cases involving suspected civil rights violations. Regulations for implementing the Act are being developed.

Alternative Programs

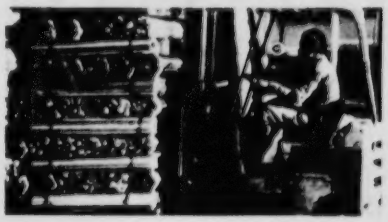
Increasing doubts about the efficacy of institutionalization, along with the difficulties of protecting the handicapped from abuse by other inmates and, in some cases, by staff, have convinced many correctional officials to support alternative programs for handicapped offenders.

Over the past decade, significant strides have been made toward deinstitutionalizing certain confined populations: New programs abound for juvenile status offenders, and deinstitutionalization efforts are underway in a few States for nonviolent adult offenders. In the general population, deinstitutionalization efforts for the mentally ill, mentally retarded, and physically disabled are commonplace. These efforts are based on the premise that such individuals are inappropriately confined and can be treated more effectively in alternative programs. Although there have been many theoretical studies of deinstitutionaliz-

ing handicapped offenders, very few such programs have been attempted. (For references about deinstitutionalization of offenders and other confined populations, see entries 156-177).

Deinstitutionalization is also viewed as a means of reducing the growing financial burden of incarceration without sacrificing public safety (entry 174). The public usually needs some convincing, however, as alternative community programs for offenders tend to generate widespread opposition.

Photo courtesy of the Illinois Dept. of Corrections



Staff photo

Definition and Scope

The publications selected for the bibliography that follows relate primarily to the adult offender. Although many of the documents have relevance to other disabled groups of offenders—juveniles and the mentally ill, for example—this bibliography focuses on the mentally retarded and physically handicapped person in conflict with the law. References to programs for the mentally ill or mentally disordered offender are included when deemed helpful to planning programs for the mentally handicapped. However, no effort has been made to include programs for all classes of offenders generally considered to need mental health care and services.

The citations cover all aspects of the criminal justice process: arrest, pretrial evaluation, determination of competency to stand trial, civil vs. criminal proceedings, and community and institutional treatment. References to health care in prisons and jails are presented in a related NCJRS publication, *Prison and Jail Health Care: A Selected Bibliography* (NCJ 70206).

The citations are presented in the following chapters:

- **The Problem.** Special needs and problems of handicapped offenders.
- **Recognizing and Classifying the Handicapped.** Problems in definition and identification and related training materials.
- **Link Between Disability and Crime.** Research studies of epilepsy, chromosomal abnormalities, mental illness, mental retardation, and other developmental disorders that are suspected of disposing individuals to criminal acts.
- **Programs and Services.** Descriptions of special programs offered at some institutions; programs designed for other target populations, that may be adapted for handicapped offenders; program needs and guidelines.
- **Personal/Civil Rights.** The issues of commitment, treatment, safety, criminal responsibility, competency to stand trial, and other legal problems.
- **Deinstitutionalization.** Service-integration models, employment services, discrimination, and other aspects of deinstitutionalization; programs, designed for other target populations, that may be adapted for handicapped offenders.
- **Reference Materials.** Bibliographies and directories.

Additional materials that have been added to the NCJRS data base too late to be included in the main body of this bibliography are listed as Addenda. Information about how to obtain the documents cited may be found on the inside back cover.

PART II
BIBLIOGRAPHY

THE PROBLEM

1. **K. BACHMAN. WHAT TO DO WITH JAMES.** GEORGETOWN UNIVERSITY CHILD DEVELOPMENT CENTER. 1979. **NCJ-61391**

   THE PROBLEMS CONFRONTING A MENTALLY RETARDED YOUTHFUL OFFENDER AS HE BECOMES INVOLVED IN THE DISTRICT OF COLUMBIA JUVENILE JUSTICE SYSTEM ARE PRESENTED IN THIS FILM FOR PARENTS, COUNSELORS, AND LAWYERS. THE DRAMA OF A 15-YEAR-OLD ADOLESCENT NAMED JAMES PORTRAYS THE JUVENILE JUSTICE SYSTEM'S INABILITY TO MANAGE PROPERLY THE SOCIAL AND LEGAL PROBLEMS OF DEVELOPMENTALLY DISABLED OFFENDERS. ONLY AFTER JAMES HAS BEEN ARRESTED REPEATEDLY DOES THE SYSTEM ADMINISTER PSYCHOLOGICAL TESTS WHICH INDICATE HE PERFORMS ON A SECOND OR THIRD GRADE LEVEL. JAMES IS INELIGIBLE FOR MANY REMEDIAL EDUCATION PROGRAMS BECAUSE OF HIS CRIMINAL RECORD, AND CONSEQUENTLY, IS ASSIGNED TO JUVENILE DETENTION CENTERS AND LOCAL INSTITUTIONS WHERE HIS UNDERACHIEVEMENTS ARE REINFORCED. IN A DISPOSITION HEARING, THE SOCIAL WORKER RECOMMENDS THAT JAMES EITHER BE ASSISTED BY THE ADOLESCENT INTERVENTION TEAM OR PLACED IN AN INDIVIDUALIZED PUBLIC SCHOOL PROGRAM. NO SINGLE SOLUTION SEEMS ADEQUATE SINCE JAMES BECOMES VICTIM TO ABUSE IN SCHOOLS AND DETENTION FACILITIES, AND HE ASSOCIATES WITH CRIMINAL GANGS IN THE COMMUNITY. JAMES' MOTHER, AWARE OF HER SON'S DISABILITY, FEELS FRUSTRATED AT THE LACK OF AVAILABLE ASSISTANCE FOR HIM. LIKEWISE, THE JUVENILE JUDGE ADMITS THAT ALTHOUGH INSTITUTIONALIZATION IS INAPPROPRIATE, JAMES STILL REQUIRES CLOSE SUPERVISION. THE NONEXISTENCE OF AN IDEAL SOLUTION IS COMMON IN THE TREATMENT OF THE MARGINALLY RETARDED OFFENDER.

   Supplemental Notes: 57 MINUTES, 16MM COLOR, 1979 RENTAL ALSO AVAILABLE.

   Availability: RICHFIELD PRODUCTION SERVICES, 8006 TAKOMA AVENUE, SILVER SPRING MD 20910 (Film) (Not available through NCJRS Document Loan Program).

2. **G. BERMANT, C. NEMETH, and N. VIDMAR, Eds. PSYCHOLOGY AND THE LAW—RESEARCH FRONTIERS.** 318 p. 1976. **NCJ-40224**

   PROCEEDINGS OF JUNE 1975 PSYCHOLOGICAL AND SOCIAL FACTORS IN LEGAL PROCESSES CONFERENCE. THIS BOOK COVERS SUCH TOPICS AS EVIDENCE, PROCEDURE, AND PSYCHOLOGICAL RESEARCH; JUROR PERCEPTIONS OF TRIAL TESTIMONY; RULES GOVERNING JURY DELIBERATION; AND SOCIAL SCIENCE AND JURY SELECTION. THE EDITORS AND CONTRIBUTORS INCLUDE PSYCHOLOGY AND SOCIOLOGY PROFESSORS, POLITICAL SCIENTISTS, AND LEGAL EXPERTS. MATERIAL IS INCLUDED IN THE BOOK ON JUROR RATINGS OF THE HONESTY OF TRIAL PARTICIPANTS AND WITNESSES. THERE IS ALSO DATA ON ATTITUDES TOWARD THE MENTALLY DISABLED, BLACKS, AND WOMEN.

   Supplemental Notes: PROCEEDINGS OF A CONFERENCE HELD AT THE BATTELLE SEATTLE RESEARCH CENTER, JUNE 12-14, 1975.

   Sponsoring Agency: BATTELLE HUMAN AFFAIRS RESEARCH CENTERS, 4000 NE 41ST STREET, SEATTLE WA 98105.

   Availability: D C HEATH AND COMPANY, 125 SPRING STREET, LEXINGTON MA 02173.

3. **B. S. BROWN and T. F. COURTLESS. MENTALLY RETARDED OFFENDER.** US DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE NATIONAL INST OF MENTAL HEALTH CENTER FOR STUDIES OF CRIME AND DELINQUENCY, WASHINGTON, DC 20203. 66 p. 1971. **NCJ-65470**

   CORRECTIONAL INSTITUTIONS WERE SURVEYED TO DETERMINE THE INTELLIGENCE QUOTIENT (IQ) OF INMATES AND ASSESS INSTITUTIONS' PROBLEMS REGARDING MENTALLY RETARDED OFFENDERS. HISTORIC ATTITUDES TOWARD MENTALLY DEFICIENT OFFENDERS WERE REVIEWED, INCLUDING THE DEVELOPMENT OF IQ TESTING, CHANGING VIEWS ON THE RELATIONSHIP BETWEEN LOW INTELLIGENCE AND CRIMINALITY, AND THE IMPRECISION OF STATUTORY DEFINITIONS FOR DEFICIENT DELINQUENCY. THE SURVEY OBTAINED REPORTS ON THE IQ SCORES OF 90,477 INMATES IN U.S. CORRECTIONAL INSTITUTIONS. IT WAS FOUND THAT ABOUT 20,000 INMATES IN PENAL CORRECTIONAL INSTITUTIONS HAVE IQ SCORES BELOW 70. MOST COMMONLY, THESE INMATES HAD COMMITTED PROPERTY OFFENSES SUCH AS LARCENY OR BURGLARY. A GENERAL LACK OF SPECIALIZED PROGRAMING FOR RETARDED INMATES WAS REPORTED BY MOST INSTITUTIONS. INSTITUTIONS REPORTING AT LEAST 1 INMATE WITH AN IQ SCORE BELOW 55 WERE SELECTED FOR A FOLLOWUP SURVEY. DATA WERE OBTAINED FOR 964 SUCH INMATES FROM 26 INSTITUTIONS. THE OFFENSE PATTERNS REVEALED THAT 57 PERCENT WERE INCARCERATED FOR CRIMES AGAINST PERSONS. THE TWO MOST FREQUENT MANAGEMENT PROBLEMS CITED BY ADMINISTRATORS WERE THE INMATES' NEED FOR CONSTANT AND INDIVIDUAL STAFF ATTENTION AND THEIR TEN-

DENCY TO BECOME VICTIMS OF EXPLOITATION BY THEIR MORE INTELLIGENT PEERS. ANOTHER FOLLOWUP STUDY INVESTIGATED THE RELATIONSHIP BETWEEN THE TYPE OF JUSTICE ADMINISTERED AND MENTALLY DEFICIENT DEFENDANTS. IN TWO-THIRDS OF THE 395 CASES EXAMINED, CONFESSIONS WERE OBTAINED, 59 PERCENT PLEADED GUILTY, AND 69 PERCENT WERE REPRESENTED BY COURT-APPOINTED COUNSEL. NO PRETRIAL PSYCHOLOGICAL TESTING WAS DONE IN 78 PERCENT OF THE CASES. ISSUES OF COMPETENCY TO STAND TRIAL WERE NOT RAISED IN 92 PERCENT OF THE CASES. ONLY 5 OF THE 34 RESPONDING STATES CITED PLANS WHICH INCLUDED SPECIALIZED FACILITIES OR TREATMENT FOR RETARDED OFFENDERS. CRITICAL ISSUES IDENTIFIED INCLUDE LACK OF AWARENESS OF THE COMPLEX LEGAL, SOCIOLOGICAL, AND PSYCHOLOGICAL PROBLEMS OF THE MENTALLY RETARDED AND LACK OF EMPIRICAL DATA ON THE RELATIONSHIP OF INTELLIGENCE AND ANTISOCIAL BEHAVIOR. MOREOVER, ADEQUATE SOCIOPSYCHOLOGICAL DEFINITIONS FOR DIAGNOSIS AND TREATMENT OF THIS OFFENDER GROUP ARE NEEDED, AS WELL AS ADEQUATE SERVICES. FOOTNOTES ARE INCLUDED.

Supplemental Notes: REPRINTED 1973.

4. **B. W. DAYNES. COURT INTERPRETER.** AMERICAN JUDICATURE SOCIETY, SUITE 1606, 200 WEST MONROE STREET, CHICAGO IL 60606. 63 p. 1968. **NCJ-15881**

DISCUSSION OF WHEN AND HOW THE SERVICES OF 'A PERSON SWORN AT TRIAL TO INTERPRET THE EVIDENCE OF A FOREIGN OR A DEAF AND MUTE PERSON TO THE COURT' MAY BE UTILIZED THE SERVICES OF A COURT INTERPRETER MAY INCLUDE BOTH INTERPRETATION OF ORAL TESTIMONY AS WELL AS THE TRANSLATION OF DOCUMENTS WRITTEN IN A FOREIGN LANGUAGE. THIS REPORT CONSIDERS THE METHOD OF APPOINTMENT, RIGHTS AND RESTRICTIONS, REQUIRED QUALIFICATIONS, AND SALARIES OF THE STATE COURT INTERPRETERS. SALARY SCALES FOR PERMANENT AND TEMPORARY INTERPRETERS ARE PRESENTED INDIVIDUALLY BY STATE. THE USE OF COURT INTERPRETERS IN FEDERAL COURTS IS ALSO COVERED BRIEFLY. THE SPECIFIC LAWS GOVERNING THE USE OF COURT INTERPRETERS IN EACH STATE ARE REPRODUCED IN THE APPENDIX.

Availability: NCJRS MICROFICHE PROGRAM.

5. **P. J. FITZGERALD. SAMPLE VOIR DIRE OF PROSPECTIVE JURORS IN DIMINISHED CAPACITY CASES (FROM DEFENDING CRIMINAL CASES—THE RAPIDLY CHANGING PRACTICE OF CRIMINAL LAW—ANNUAL, 16TH; 1978—SEE NCJ-55893).** NEW MEXICO OFFICE OF THE ATTORNEY GENERAL, P O DRAWER 1508, SANTA FE NM 87501. 6 p. 1978. **NCJ-55896**

SAMPLE QUESTIONS ARE GIVEN FOR USE WITH JURORS IN CASES INVOLVING TESTIMONY BY PSYCHIATRISTS OR PSYCHOLOGISTS, IN CASES WHICH INVOLVE DIMINISHED CAPACITY DUE TO ALCOHOL OR DRUGS, AND IN CASES WITH MENTALLY RETARDED DEFENDANTS. JURORS COMMONLY BELIEVE THAT PSYCHIATRISTS, THEMSELVES, ARE 'DISTURBED' AND THAT PSYCHIATRIC EXPERTS SELDOM AGREE ON A PARTICULAR DIAGNOSIS. IF PSYCHIATRIC OR PSYCHOLOGICAL TESTIMONY IS IMPORTANT TO THE CASE, JUROR QUESTIONING SHOULD UNCOVER THESE ATTITUDES. A SERIES OF 32 SAMPLE QUESTIONS ARE GIVEN WHICH COVER THE JUROR'S KNOWLEDGE OF PSYCHOLOGY OR PSYCHIATRY, ANY ASSOCIATION THE JUROR MAY HAVE HAD WITH MENTAL HEALTH EXPERTS, AND JUROR ATTITUDES ABOUT THESE DISCIPLINES. IF ALCOHOL, NARCOTICS, OR OTHER DRUGS ARE INVOLVED IN THE DIMINISHING OF THE CAPACITY OF THE CLIENT AT THE TIME OF THE CRIME, A PROSPECTIVE JUROR'S ATTITUDES TOWARD THESE SUBSTANCES SHOULD BE EXPLORED. A SET OF 13 QUESTIONS COVER THE PROSPECTIVE JUROR'S USE OF ALCOHOL, OPINIONS FORMED AS A RESULT OF READING OR WATCHING MEDIA PUBLICITY ABOUT ALCOHOL OR DRUGS, AND THE JUROR'S UNDERSTANDING OF THE EFFECT OF THESE SUBSTANCES. FINALLY, 7 QUESTIONS COVER THE JUROR'S UNDERSTANDING OF MENTAL RETARDATION AND INTELLIGENCE MEASUREMENTS IN GENERAL. A BIBLIOGRAPHY IS APPENDED.

Supplemental Notes: REPRINTED FROM CALIFORNIA ATTORNEYS FOR CRIMINAL JUSTICE.

Availability: NCJRS MICROFICHE PROGRAM.

6. **A. T. FORET and M. J. PETROWSKE. LEGAL TRAINING PROGRAM FOR INTERPRETERS FOR THE DEAF.** WAYNE STATE UNIVERSITY CENTER FOR THE ADMINISTRATION OF JUSTICE. 1976. Kit. **NCJ-38531**

TRAINING COURSE (FOR HOLDERS OF THE NATIONAL REGISTRY OF INTERPRETERS FOR THE DEAF COMPREHENSIVE SKILLS CERTIFICATE) IN CONVEYING LEGAL TERMS AND CONCEPTS TO DEAF PERSONS (THOSE WITH MINIMAL LANGUAGE SKILLS). COURSE MATERIALS CONSIST OF AN AUDIO CASSETTE WHICH CONTAINS A PRE-TEST AND A POST-TEST, WHICH THE STUDENT, IN A STUDIO FACILITY, INTERPRETS INTO SIGN LANGUAGE WHILE BEING RECORDED ON VIDEOTAPE; 10 VIDEO CASSETTE VIGNETTES WHICH PROVIDE THE STUDENT WITH PRACTICE MATERIALS IN REVERSE INTERPRETING SIGN LANGUAGE INTO SPOKEN ENGLISH; 16 VIDEO CASSETTES WHICH ILLUSTRATE THE SIGNS USED IN LEGAL VOCABULARY; A MANUAL WHICH CONTAINS APPROXIMATELY 1,000 COMMONLY USED LEGAL TERMS, THE SIGNS TO BE USED BY INTERPRETERS IN CONVEYING THESE TERMS TO THE DEAF, LAY DEFINITIONS OF THE TERMS, EXAMPLES OF EACH TERM USED IN A SENTENCE, COMMON LEGAL FORMULAS (MIRANDA WARNING, WITNESS OATH, ETC.), AND OTHER INFORMATION OF INTEREST TO INTERPRETERS (CODE OF ETHICS, FEE SETTING, RIGHTS OF THE DEAF, ETC.); A BRIEF DESCRIPTIVE PAMPHLET WHICH CONTAINS A LIST OF EQUIPMENT NEEDED AND RECOMMENDATIONS FOR TEACHING THE COURSE; AND A DAILY CLASS SCHEDULE OF THE THREE-WEEK COURSE AS IT WAS ORIGINALLY PRESENTED AT WAYNE STATE UNIVERSITY. THE MANUAL ALSO PROVIDES A TRAINING AND REFERENCE AID FOR INTERPRETERS, JUDGES, ATTORNEYS, AND LAW ENFORCEMENT OFFICIALS AND CAN BE USED AS A TEXT ON LEGAL PROCEDURES AND TERMINOLOGY FOR USE IN EDUCATING DEAF YOUNGSTERS IN SCHOOLS FOR THE DEAF. (THE VIDEO CASSETTES ARE IN THE 3/4 INCH FORMAT.)

Supplemental Notes: INCLUDES 1 AUDIO CASSETTE, 26 VIDEO CASSETTES, 1 263-PAGE MANUAL, 2 6-PAGE BOOKLETS.

7. **S. J. FOX, R. C. ALLEN, and R. J. GOLTEN. CRIMINAL REFORM MOVEMENT (FROM MENTALLY RETARDED CITIZEN AND THE LAW, 1976 BY MICHAEL KINDRED, JULIUS COHEN, DAVID PENROD AND THOMAS SHAFFER—SEE NCJ-35524).** FREE PRESS, 866 THIRD AVENUE, NEW YORK NY 10022. 22 p. 1976. **NCJ-35525**

THIS ARTICLE DEALS WITH EFFORTS TO REFORM THE CRIMINAL JUSTICE AND CORRECTIONAL SYSTEMS AND THE EXTENT TO WHICH MENTALLY RETARDED OFFENDERS ARE OR SHOULD BE SINGLED OUT IN THIS MOVEMENT FOR SPECIAL TREATMENT. THE AUTHOR SURVEYS A NUMBER OF REFORM EFFORTS TO SHOW THAT MENTAL RETARDATION IS IGNORED IN MANY SITUATIONS WHERE IT HAS RELEVANCE AND THAT THERE HAS BEEN LITTLE INPUT TO MOST REFORM PROPOSALS BY THOSE SENSITIVE TO THE NEEDS AND PROBLEMS OF MENTALLY RETARDED CITIZENS. HE PROPOSES A THREE-STEP APPROACH TO THE PROBLEM: A THOROUGH STUDY OF REFORM PROPOSALS TO DOCUMENT SYSTEMATICALLY THE EXTENT TO WHICH THEY IGNORE SPECIAL PROBLEMS RELATED TO MENTAL RETARDATION; THE DEVELOPMENT OF A MODEL CRIMINAL JUSTICE SYSTEM FROM THE VIEWPOINT OF THE MENTALLY RE-

TARDED; AND A STRATEGIC DECISION AS TO WHETHER SOME OR ALL ASPECTS OF THE MODEL SHOULD BE ACTIVELY PRESSED. TWO REACTION COMMENTS DISCUSS THE AUTHOR'S VIEWS ON THE CREATION OF AN EXCEPTIONAL OFFENDERS COURT. (AUTHOR ABSTRACT MODIFIED)

8. **G. E. FRUG. JUDICIAL POWER OF THE PURSE.** UNIVERSITY OF PENNSYLVANIA LAW SCHOOL, 3400 CHESTNUT STREET, PHILADELPHIA PA 19174. *UNIVERSITY OF PENNSYLVANIA LAW REVIEW,* V 126, N 4 (APRIL 1978), P 715-794. **NCJ-46807**

DURING THE PAST DECADE LOWER FEDERAL COURTS HAVE TRIED TO REMEDY CONSTITUTIONAL VIOLATIONS BY MANDATING INCREASED GOVERNMENT EXPENDITURES. THE LIMITS WHICH SHOULD BE PLACED ON THIS POWER ARE DISCUSSED. AS THE RESULT OF LOWER FEDERAL COURT DECISIONS, PRISONS HAVE BEEN ORDERED TO IMPROVE PHYSICAL FACILITIES AND LEVELS OF SERVICES. IN ADDITION, SPENDING FOR PROGRAMS FOR MENTALLY RETARDED PERSONS HAS INCREASED AND OTHER PUBLIC MONEY HAS BEEN COMMITTED NOT BY LEGISLATIVE CHOICE, BUT BY JUDICIAL DECISION. THE SUPREME COURT HAS EMPHASIZED THE VALUE OF LIMITED JUDICIAL INTERVENTION IN SUCH MATTERS AND IN SEVERAL CASES HAVE ATTEMPTED TO LIMIT LOWER COURT INTERVENTION IN LEGISLATIVE MATTERS. IN THE DESEGREGATION CASES, THE SUPREME COURT HAS RULED VARIOUS FORMS OF SEGREGATION UNCONSTITUTIONAL, BUT HAS ATTEMPTED TO LIMIT LOWER COURT ATTEMPTS TO BE ACTIVELY INVOLVED IN SCHOOL BOARD ADMINISTRATION. IN TWO CASES INVOLVING MENTAL INSTITUTIONS, IN WHICH PATIENTS SUED BECAUSE THEY FELT TREATMENT WAS INADEQUATE, THE SUPREME COURT RULED THAT THE PERSONS SHOULD HAVE BEEN RELEASED BUT DID NOT MANDATE EXTRA MONEY FOR INSTITUTIONAL TREATMENT. IN ESTELLE V. GAMBLE THE SUPREME COURT DECIDED A CASE CONCERNING PRISON CONDITIONS AS NARROWLY AS IN PREVIOUS MENTAL INSTITUTION CASES. THE INADEQUATE MEDICAL TREATMENT ESTELLE EXPERIENCED IN PRISON MIGHT HAVE BEEN BECAUSE THE TEXAS PRISON SYSTEM HAS HAD AT VARIOUS TIMES ONLY 1 TO 3 DOCTORS TO CARE FOR 17,000 PRISONERS, HOWEVER, THE COURT DID NOT SUGGEST ANY MINIMUM LEVEL OF PRISON MEDICAL CARE. INSTEAD, IT HELD THAT INADEQUATE MEDICAL TREATMENT WOULD CONSTITUTE CRUEL AND UNUSUAL PUNISHMENT ONLY IF THERE HAD BEEN 'DELIBERATE INDIFFERENCE TO SERIOUS MEDICAL NEEDS OF PRISONERS.' SUCH TREATMENT MIGHT BE CAUSE FOR MALPRACTICE UNDER TORT LAW, BUT WAS NOT CONSIDERED A CONSTITUTIONAL ISSUE BY THE COURT. ONLY ONE JUSTICE DISSENTED. MANY PARTIES HAVE BROUGHT SUIT UNSUCCESSFULLY IN THE FEDERAL COURTS TO STIMULATE IMPROVEMENTS IN EDUCATIONAL OR CORRECTIONAL CONDITIONS. AS A DISSENTING JUDGE IN AN INSTITUTIONAL CASE SAID, 'A FEDERAL JUDGE REARRANGING A STATE'S PENAL OR EDUCATIONAL SYSTEM IS LIKE A MAN FEEDING CANDY TO HIS GRANDCHILD. HE DERIVES A GREAT DEAL OF PERSONAL SATISFACTION FROM IT AND HAS NO RESPONSIBILITY FOR THE RESULTS.' REFORMERS ARE ADVISED TO SEEK CHANGE AT THE LEGISLATIVE AS WELL AS THE JUDICIAL LEVEL BECAUSE LEGISLATURES HAVE THE POWER OF THE PURSE.

9. **W. R. GOVE, Ed. LABELLING OF DEVIANCE—EVALUATING A PERSPECTIVE.** 313 p. 1975. **NCJ-29208**

COLLECTION OF ARTICLES PROVIDING AN OVERVIEW OF MAJOR THEORIES EXPLAINING DEVIANT BEHAVIOR FROM LABELING OR SOCIETAL REACTION PERSPECTIVE. THIS PERSPECTIVE ARGUES THAT THE KEY FACTOR IN DETERMINING THE ACQUISITION OF A DEVIANT LABEL IS THE PERSON'S LACK OF RESOURCES AND THAT THE ACQUISITION OF A DEVIANT LABEL IS THE MAIN DETERMINANT OF A CAREER IN DEVIANCE. HOWEVER, DESPITE ITS WIDESPREAD ACCEPTANCE AND USE BY SOCIOLOGISTS, CRIMINOLOGISTS, AND BEHAVIORISTS, THE LABELING PERSPECTIVE HAS BEEN SUBJECTED TO VERY LITTLE EMPIRICAL EVALUATION. THIS BOOK PROVIDES A CRITICAL EXPLORATION OF THE EMPIRICAL EVIDENCE AVAILABLE TO DATE. CONTRIBUTORS THEN EXPLORE FACETS OF ITS APPLICATION IN SUCH NONCRIMINAL AREAS AS: ALCOHOLISM, PHYSICAL DISABILITY, MENTAL ILLNESS, AND MENTAL RETARDATION; AND IN SUCH CRIMINAL AREAS AS: ADULT CRIME, JUVENILE DELINQUENCY, DRUG USE, AND SEXUAL DEVIANCE. THE VOLUME CONCLUDES WITH A PAIR OF CRITICAL COMMENTARIES BY PROMINENT SUPPORTERS OF THE SOCIETAL REACTION PERSPECTIVE. (AUTHOR ABSTRACT)

Availability: HALSTED PRESS, 605 THIRD AVENUE, NEW YORK NY 10016.

10. **E. B. GUY, M. S. HELLER, and S. POLSKY. DISPOSITION OF MENTALLY ILL OFFENDERS.** PENNSYLVANIA PRISON SOCIETY, ROOM 302, SOCIAL SERVICES BUILDING, 311 SOUTH JUNIPER STREET, PHILADELPHIA PA 19107. *PRISON JOURNAL,* V 48, N 1 (SPRING/SUMMER), P 24-33. **NCJ-64936**

MENTALLY ILL OFFENDERS MUST BE HANDLED SKILLFULLY AND EXPEDITIOUSLY AT ALL LEVELS OF THE LEGAL PROCESS. PSYCHIATRIC DIAGNOSIS AND TREATMENT MUST BE INTEGRATED WITH JUDICIARY DISPOSITION. CRIMINAL LAWS REGARDING THE MENTALLY ILL SHOULD BE CLEAR AND CONCISE, AND THE NECESSARY DIAGNOSTIC AND TREATMENT FACILITIES MUST BE AVAILABLE. ATTEMPTS TO IMPROVE THE MANAGEMENT OF MENTALLY ILL OFFENDERS MUST INVOLVE MORE EFFICIENT UTILIZATION OF EXISTING PERSONNEL AND FACILITIES; THE PSYCHIATRIC PROFESSION AND FACILITIES ARE CURRENTLY NOT EQUIPPED TO DEAL WITH THE LEGAL ASPECTS OF MENTALLY ILL OFFENDERS WHO REQUIRE MAXIMUM SECURITY AND SPECIAL HANDLING. MENTAL HEALTH AND MENTAL RETARDATION LEGISLATION DEALING WITH THE DISPOSITION OF SUCH OFFENDERS POSES PROBLEMS BOTH ON STATE AND NATIONAL LEVELS. SUCH LEGISLATIVE ACTS ARE DESIGNED FOR CIVIL, NOT CRIMINAL COMMITMENT, AND REPRESENT A NORMATIVE AND ADMINISTRATIVE CONVENIENCE RATHER THAN AN OPERATIVE REALITY. PROTECTION OF THE INDIVIDUAL'S CIVIL RIGHTS, INCLUDING DUE PROCESS AND THE DETERMINATION OF THE OFFENDER'S STATE OF MIND, IS UNEVEN SINCE BASIC PROTECTIONS ARE SOMETIMES NOT SPELLED OUT FOR CIVIL COMMITMENT. MOREOVER, COMMITMENT IN LIEU OF SENTENCE TENDS TO RESULT IN COMMITMENT FOR A SPECIFIC NUMBER OF YEARS RATHER THAN FOR A PERIOD THERAPEUTICALLY NECESSARY, THUS HANDICAPPING MENTAL HEALTH FACILITIES. IN DEALING WITH MENTALLY ILL OFFENDERS, THE RESPONSIBLE PERSONS IN THE LEGAL PROCESS RANGE FROM THE ARRESTING POLICE OFFICERS THROUGH THE COURTS AND CORRECTIONAL INSTITUTIONS TO THE POSTRELEASE PROBATION OR PAROLE DEPARTMENTS. DESPITE DIFFERENCES IN TRAINING AND EXPERIENCE, ALL MUST ADDRESS THEMSELVES TO BOTH THE LEGAL AND PSYCHIATRIC COMPONENTS OF EACH CASE. FOUR FLOW CHARTS REPRESENT DIAGRAMATICALLY THE INTEGRATION OF THE LEGAL AND MEDICAL-PSYCHIATRIC COMPONENTS OF A CASE AS IT PROCEEDS THROUGH THE VARIOUS COURT PROCEEDINGS AND CORRECTIONAL INSTITUTIONAL STEPS.

11. **C. HELM. KENTUCKY LEGISLATIVE RESEARCH COMMISSION—THE MENTALLY RETARDED OFFENDER.** KENTUCKY LEGISLATIVE RESEARCH COMMISSION, STATE CAPITOL, FRANKFORT KY 40601. 26 p. 1977. **NCJ-67408**

THIS STUDY OF MENTALLY RETARDED OFFENDERS IN KENTUCKY ASSESSES THE SCOPE AND NATURE OF INMATE MENTAL RETARDATION AND THE LEGAL, JUDICIAL, AND CORRECTIONAL PROBLEMS ENCOUNTERED BY SUCH OF-

FENDERS. THE DEFINITION AND DIAGNOSIS OF MENTAL RETARDATION INVOLVES A DEFICIT IN ADAPTIVE BEHAVIOR AS WELL AS A LOW INTELLIGENCE QUOTIENT (IQ) SCORE. IN THE KENTUCKY CORRECTIONS SYSTEM, THERE ARE 539 OFFENDERS WITH IQ SCORES BELOW 85. DISTINGUISHING PERSONALITY CHARACTERISTICS OF THE MENTALLY RETARDED HINDER SUCH OFFENDERS FROM RECEIVING EQUAL JUSTICE WITHIN THE PRESENT CRIMINAL JUSTICE SYSTEM. EASILY PERSUADED AND MANIPULATED AND PRONE TO VIOLENCE UNDER FRUSTRATION, SUCH INMATES RARELY MAKE INSTITUTIONAL ADJUSTMENTS TO THE SATISFACTION OF CORRECTIONAL OFFICERS AND PAROLE BOARDS. THEIR APPARENT LACK OF COOPERATION, DUE TO THE INABILITY TO UNDERSTAND THE CRIMINAL JUSTICE PROCEDURES, HINDERS THE MENTALLY RETARDED IN COURTROOM SITUATIONS. FURTHERMORE, A DECLARATION OF INCOMPETENCY FREQUENTLY RESULTS IN INDEFINITE INSTITUTIONAL COMMITMENT. NEVERTHELESS, GIVEN APPROPRIATE TREATMENT AND TRAINING PROGRAMS, THE CHANCES FOR HABILITATING MENTALLY RETARDED OFFENDERS ARE GOOD BECAUSE THEIR PERSONALITY CHARACTERISTICS WOULD LEND THEMSELVES TO POSITIVE DEVELOPMENTAL PROGRAMS. FULLY INTEGRATED AND COORDINATED PROGRAMS ESPECIALLY DESIGNED FOR THE NEEDS OF RETARDED OFFENDERS ARE RECOMMENDED. IMPLEMENTATION OF THESE SERVICES SHOULD BEGIN WITH EDUCATIONAL PROGRAMS FOR PROFESSIONALS IN THE CRIMINAL JUSTICE AND LAW ENFORCEMENT SYSTEMS; THESE PROFESSIONALS MUST ACQUIRE BETTER INFORMED APPROACHES TO DEALING WITH RETARDED OFFENDERS. FURTHER, SPECIAL TREATMENT PROGRAMS MUST BE DEVELOPED IN INSTITUTIONS, AND PRERELEASE PLANNING AND PAROLE POSSIBILITIES MUST BE ADAPTED FOR THESE OFFENDERS. TABULAR DATA, FOOTNOTES, AND A BIBLIOGRAPHY ARE PROVIDED.

Supplemental Notes: RESEARCH MEMORANDUM NO 405.

12. **C. T. IDELBERGER. MENTALLY RETARDED CRIMINAL OFFENDER—FINDING SOME SOLUTIONS FOR A LOST CAUSE.** HAWORTH PRESS, 149 FIFTH AVENUE, NEW YORK NY 10010. *OFFENDER REHABILITATION*, V 3, N 2 (WINTER 1978), P 161-170. **NCJ-55417**

AN OVERVIEW OF THE STATUS OF MENTALLY RETARDED OFFENDERS FOCUSES ON THE FAILURE OF THESE PERSONS TO BENEFIT FROM REFORMS IN EITHER THE CRIMINAL JUSTICE OR MENTAL HEALTH SYSTEM. WHEN A PERSON WHO HAS BEEN LABELED MENTALLY RETARDED COMES BEFORE THE COURT ON CRIMINAL CHARGES, THE LABEL CHANGES TO MENTALLY DEFICIENT OR DEFECTIVE OFFENDER (THE SAME LABEL APPLIED TO SEX OFFENDERS, PSYCHOPATHS, AND MENTALLY ILL OFFENDERS). IDEALLY LABELS SERVE A USEFUL PURPOSE--IDENTIFYING SPECIAL NEEDS. BUT WHEN THIS PURPOSE IS NOT SERVED, LABELS ONLY STIGMATIZE. IN THE CASE OF THE MENTALLY RETARDED OFFENDER, DOUBLE LABELING TAKES PLACE, BUT NO SPECIAL NEEDS ARE IDENTIFIED AS A RESULT. THERE HAS BEEN A TENDENCY FOR THE MENTAL HEALTH AND CORRECTIONS SYSTEMS TO SHUFFLE RESPONSIBILITY FOR MENTALLY RETARDED OFFENDERS BACK AND FORTH. RIGHTS LITIGATION AND RULINGS BENEFITING MENTALLY RETARDED PERSONS AND CRIMINAL OFFENDERS SOMEHOW HAVE CIRCUMVENTED THE MENTALLY RETARDED OFFENDER. UNDER PSYCHOPATHY LAWS, DEFENDANTS WHOSE MENTAL RETARDATION IS FOUND TO RENDER THEM EITHER UNFIT TO STAND TRIAL OR NOT CRIMINALLY RESPONSIBLE FACE INDETERMINATE CIVIL COMMITMENT UNTIL THEY ARE 'CURED'. THIS CONSTITUTES A LIFE SENTENCE, BECAUSE MENTAL RETARDATION IS NOT SOMETHING THAT IS CURED. YET ANOTHER PROBLEM IS THAT THE DOUBLY LABELED MENTALLY RETARDED OFFENDER IS LIKELY TO BE CONFRONTED WITH DOUBLE DISCRIMINATION BY THE PUBLIC. THERE IS A NEED TO DETERMINE WHETHER THE HANDLING OF MENTALLY RETARDED OFFENDERS SHOULD BE CONCERNED PRIMARILY WITH THEIR MENTAL RETARDATION OR WITH THEIR CRIMINALITY. THERE IS ALSO A NEED TO DETERMINE WHETHER THE TREATMENT NEEDS OF MENTALLY RETARDED OFFENDERS DIFFER FROM THOSE OF MENTALLY RETARDED NONOFFENDERS AND NONRETARDED OFFENDERS. STEPS SHOULD BE TAKEN TO SEPARATE, BOTH IN THE LAW AND IN THE EYES OF THE PUBLIC, THE MANY TYPES OF OFFENSES AND OFFENDERS LUMPED TOGETHER UNDER THE DEFECTIVE DELINQUENT LABEL. A LIST OF REFERENCES IS INCLUDED.

13. **INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE, 11 FIRSTFIELD ROAD, GAITHERSBURG MD 20760. DEAF AND THE POLICE—TRAINING KEY NO 244.** 6 p. 1976. **NCJ-38178**

THIS TRAINING KEY DEALS WITH POLICE RESPONSIBILITIES IN DEALING WITH DEAF PERSONS DURING TRAFFIC STOPS AND/OR ARRESTS. THE PROBLEM OF DEAFNESS IS DISCUSSED, AND METHODS OF COMMUNICATING WITH THE DEAF ARE REVIEWED. ILLUSTRATIONS OF BASIC SIGN LANGUAGE PHRASES WHICH CAN BE USED BY THE OFFICER TO ENABLE HIM TO COMMUNICATE WITH THE DEAF VICTIM, SUSPECT, OR WITNESS ARE INCLUDED. DISCUSSION QUESTIONS AND SUPPLEMENTAL READING SUGGESTIONS FOLLOW THE TEXT.

Availability: NCJRS MICROFICHE PROGRAM.

14. **R. J. POWITZKY. PROGRAMS FOR THE MENTALLY ILL OR RETARDED OFFENDER (FROM AMERICAN CORRECTIONAL ASSOCIATION—108TH ANNUAL CONGRESS OF CORRECTION, 1978—SEE NCJ-59753).** AMERICAN CORRECTIONAL ASSOCIATION, 4321 HARTWICK ROAD, COLLEGE PARK MD 20740. 6 p. 1978. **NCJ-59756**

THE PROBLEMS OF IDENTIFYING AND HELPING MENTALLY RETARDED AND MENTALLY ILL INMATES ARE DESCRIBED, WITH PARTICULAR REFERENCE TO THE FEDERAL PRISON SYSTEM'S RESPONSE TO SUCH INMATES. THE FEDERAL PRISON SYSTEM DIFFERS FROM MOST STATE SYSTEMS IN THAT MENTALLY ILL OR RETARDED INMATES ARE CARED FOR BY THE SAME SYSTEM IN WHICH THEY ARE INCARCERATED, WHEREAS MANY STATES RELY ON SEPARATE MENTAL HEALTH DEPARTMENTS TO TREAT SUCH INMATES. ALMOST NO SEVERELY RETARDED INDIVIDUALS ARE INCARCERATED, SINCE ALL COURTS HAVE THE OBLIGATION NOT TO TRY, CONVICT, AND SENTENCE PEOPLE WHO CANNOT UNDERSTAND COURT PROCEEDINGS. THE FEW RETARDED INMATES IN THE SYSTEM ARE TREATED ON AN INDIVIDUAL BASIS RATHER THAN TRANSFERRED TO IDENTIFIABLE SPECIAL UNITS OR INSTITUTIONS AS IS THE CASE FOR MENTALLY ILL INMATES. ALTHOUGH IT IS DIFFICULT TO IDENTIFY MENTALLY ILL INMATES, THE BEST ESTIMATES SUGGEST THAT 2 PERCENT OF ALL FEDERAL INMATES ARE PSYCHOTIC, 50 PERCENT HAVE PERSONALITY DISORDERS, 8 PERCENT ARE NEUROTIC, AND 14 PERCENT SUFFER FROM DEPRESSION. IN 1972, THE NATIONAL INSTITUTE OF MENTAL HEALTH CHARGED THAT FEDERAL PRISONS WERE FAILING TO PROVIDE ADEQUATE TREATMENT TO MENTALLY ILL PATIENTS. ALTHOUGH THE BUREAU OF PRISONS HAS SOUGHT TO ADDRESS THESE PROBLEMS, MORE NEEDS TO BE DONE. THE DETECTION AND CARE OF MENTALLY ILL PATIENTS ARE THE RESPONSIBILITIES OF TWO BRANCHES WITHIN THE BUREAU OF PSYCHOLOGY SERVICES, IN WHICH PSYCHOLOGISTS WORK NOT ONLY WITH PSYCHOTICS BUT WITH INMATES SUFFERING FROM SUCH PROBLEMS AS DRUG AND ALCOHOL ADDICTION AND DEPRESSION. HOWEVER THE BUREAU'S PROGRAMS ARE STILL PLAGUED BY PROBLEMS ARISING FROM LACK OF STAFF AND BUDGETARY RESOURCES, LITIGATION RELATING TO THE RIGHT OF INMATES BOTH TO RECEIVE AND REFUSE TREATMENT, THE

NEED FOR RESEARCH, AND POOR QUALITY PROGRAMS AND STAFF. REFERENCES ARE PROVIDED.

Availability: NCJRS MICROFICHE PROGRAM.

15. **E. SAGARIN and F. MONTANINO, Eds. DEVIANTS—VOLUNTARY ACTORS IN A HOSTILE WORLD.** 611 p. 1977. **NCJ-44838**

A COLLECTION OF ARTICLES EXAMINES THE DEVELOPMENT OF VOLUNTARY DEVIANTS AND THEIR INTERACTIONS WTH SOCIETY; PARTICULAR ATTENTION IS GIVEN TO THE ASPECT OF RESPONSIBILITY FOR DEVIANT ACTS OR BEHAVIOR. DEVIANTS ARE DEFINED AS PERSONS WHO INCITE SOCIAL REACTION OR WHO BRING NEGATIVE EVALUATION FROM SIGNIFICANT PORTIONS OF SOCIETY. THE INTRODUCTORY SELECTION MAKES A DISTINCTION BETWEEN VOLUNTARY DEVIANTS, WHO DELIBERATELY AND PURPOSIVELY BEHAVE IN A DEVIANT MANNER, AND INVOLUNTARY DEVIANTS, SUCH AS THE PHYSICALLY HANDICAPPED, THE MENTALLY RETARDED AND BRAIN DAMAGED, THE MENTALLY ILL, AND THE TERMINALLY ILL. OTHER ASPECTS OF VOLUNTARISM AND RESPONSIBILITY INCLUDE COPING STRATEGIES FOR HUMAN SURVIVAL, ADDICTION, COMPULSIVITY AND PSYCHOPATHOLOGY, AND BLAMING SOCIETY. AN OVERVIEW OF CRIME AND DELINQUENCY DISCUSSES THE COST OF CRIME IN THE UNITED STATES, GENERAL THEORIES OF CRIME AND DELINQUENCY, THE INTERACTIONIST PERSPECTIVE, TYPOLOGICAL APPROACHES, AND TREATMENT AND PREVENTION OF CRIME AND DELINQUENCY. CRIMINAL VIOLENCE IS EXAMINED IN TERMS OF ITS HISTORY, THEORETICAL EXPLANATIONS, MANIFESTATIONS IN MODERN SOCIETY, AND METHODS OF DEACTIVATING VIOLENT SITUATIONS. ORGANIZED CRIME IS THE FIRST KIND OF VOLUNTARY DEVIANCE TREATED IN DEPTH: ITS OPERATIONS, STRUCTURE, AND HISTORY ARE NOTED, AS WELL AS THEORIES, CONTROL, AND THE SOCIOLOGICAL APPROACH. THE HISTORY OF WHITE-COLLAR CRIME AND RESEARCH ON THE TOPIC ARE PRESENTED IN ANOTHER CHAPTER. A SECTION ON DRUG ABUSE COVERS THE LANGUAGE AND CULTURAL CONTEXT OF DRUG USE, HISTORICAL TRENDS IN AMERICAN ATTITUDES TOWARD DRUG USE, AND AN OVERVIEW OF THE DRUGS INVOLVED. THE USE AND ABUSE OF ALCOHOL IS ALSO EXAMINED: THE PERVASIVE NATURE OF ALCOHOL USE IN SOCIETY, VIEWS OF ALCOHOLISM, ALCOHOLISM AND THE FAMILY, AND ALCOHOLICS ANONYMOUS ARE AMONG THE TOPICS. AN OVERVIEW OF PROSTITUTION, INCLUDING PROSTITUTES, PIMPS, AND CUSTOMERS, IS OFFERED; SEXUAL DEVIANCE IN ITS NORMAL MANIFESTATION OF PREMARITAL SEX IS TREATED IN ANOTHER CHAPTER, AS ARE ADULTERY, HOMOSEXUALITY, AND CHILD MOLESTATION. THE SELECTION ON PORNOGRAPHY AND SOCIETY DISCUSSES THE PLACE OF EROTICA IN SOCIETY, THE EFFECT OF EROTICA ON PEOPLE, AND THE LEGAL CONTROL OF EROTICA. THE FINAL SECTION DEALS WITH SUICIDE IN TERMS OF HISTORY, THEORIES, STATISTICS, AND PREVENTION. NOTES AND A BIBLIOGRAPHY FOLLOW EACH CHAPTER. NAME AND SUBJECT INDEXES ARE PROVIDED.

Availability: GENERAL LEARNING PRESS, 250 JAMES STREET, MORRISTOWN NJ 07960.

16. **M. B. SANTAMOUR, Ed. MENTALLY RETARDED CITIZEN AND THE CRIMINAL JUSTICE SYSTEM—PROBLEMS AND PROGRAMS.** US PRESIDENT'S COMMITTEE ON MENTAL RETARDATION, 7TH AND D STREETS, SW, WASHINGTON DC 20024. 285 p. 1975. **NCJ-39394**

TWENTY-FIVE WORKING PAPERS FROM A CHARLESTON, SOUTH CAROLINA SYMPOSIUM, HELD FEBRUARY 23-25, 1975, WHICH ATTEMPTED TO DEFINE THE STATE-OF-THE-ART ON THE PROBLEMS AND NEEDS OF THE RETARDED OFFENDER. HELD FEBRUARY 23-25, 1975 THE SYMPOSIUM BROUGHT TOGETHER PROFESSIONALS FROM THROUGHOUT THE UNITED STATES TO PARTICIPATE IN AN EXCHANGE OF INFORMATION. THE PAPERS PRESENT AN OVERVIEW OF EXISTING SPECIAL PROGRAMS AND PROJECTS, PROFILE THE RETARDED OFFENDER, AND DISCUSS THE EXTENT AND NATURE OF ASSOCIATED PROBLEMS AS STUDIED AND ANALYZED BY RESEARCHERS IN THE FIELD. MODEL PROJECTS FOR EDUCATING CRIMINAL JUSTICE PERSONNEL ON THE NATURE OF RETARDATION, AS WELL AS TREATMENT PROGRAMS FOR THE MENTALLY RETARDED JUVENILE, YOUNG ADULT AND ADULT OFFENDERS, ARE ALSO DESCRIBED. THE FINAL FIVE PAPERS CONSIDER THE LEGAL RIGHTS OF RETARDED OFFENDERS AND LEGISLATIVE ADVOCACY FOR THE MENTALLY RETARDED CITIZEN. THE RESULTS OF A SURVEY OF SYMPOSIUM PARTICIPANTS AND THEIR RECOMMENDATIONS ARE INCLUDED, ALONG WITH A 146-ITEM BIBLIOGRAPHY. (AUTHOR ABSTRACT MODIFIED)

Supplemental Notes: WORKING PAPERS FROM THE CHARLESTON, SOUTH CAROLINA SYMPOSIUM, FEBRUARY 23-25, 1975.

Availability: JAMES L MAHER CENTER, HILLSIDE AVENUE, NEWPORT RI 02840.

17. **M. B. SANTAMOUR, Ed. NAIVE OFFENDER—NEW ENGLAND SEMINAR ON RETARDED YOUTH AND THE LAW ENFORCEMENT PROCESS—NEWPORT, RHODE ISLAND, AUGUST 18-20, 1971—FORMAT AND ESSAYS.** SALVE REGINA COLLEGE. 88 p. 1971. **NCJ-14784**

SUMMARY OF THE PROCEEDINGS, INCLUDING THE MAJOR ISSUES, DISCUSSIONS, AND RECOMMENDATIONS. THIS SEMINAR BROUGHT TOGETHER PROFESSIONALS CONCERNED WITH THE LAW ENFORCEMENT PROCESS AND THOSE CONCERNED SPECIFICALLY WITH PROGRAMMING FOR MENTALLY RETARDED PERSONS. THIS ATTEMPT AT BROADENING UNDERSTANDING OF THE TOPIC ALSO SERVED TO ILLUMINATE THE DIFFERENT ROLES AND PROBLEMS OF THE TWO DIFFERENT GROUPS. THE AREAS EXPLORED IN THE SESSIONS COVERED THE PREVENTIVE ASPECT OF INVOLVEMENT IN THE LAW ENFORCEMENT PROCESS, EXISTING PROFESSIONAL RESOURCES, REHABILITATIVE OPTIONS TO THE COURTS, LEGAL IMPLICATIONS IN THE DEFENSE OF RETARDED YOUTHS, DETECTION, INSTITUTIONAL FACILITIES, AND THE EFFECTS OF INAPPROPRIATE TREATMENT. THE EIGHT PAPERS PRESENTED AT THIS SEMINAR ARE INCLUDED. THE SEMINAR FORMAT IS ALSO DISCUSSED.

Supplemental Notes: CO-SPONSORED BY HEW AND RHODE ISLAND DEPT OF MENTAL HEALTH, RETARDATION, AND HOSPITALS.

Sponsoring Agencies: US PRESIDENT'S COMMITTEE ON MENTAL RETARDATION, 7TH AND D STREETS, SW, WASHINGTON DC 20024; US DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, 330 INDEPENDENCE AVENUE, SW, WASHINGTON DC 20201.

Availability: NCJRS MICROFICHE PROGRAM.

18. **M. B. SANTAMOUR. OTHER TEN PERCENT, PART 1.** AMERICAN CORRECTIONAL ASSOCIATION, 4321 HARTWICK ROAD, COLLEGE PARK MD 20740. *AMERICAN JOURNAL OF CORRECTION*, V 39, N 2 (MARCH-APRIL 1977), P 16 & 36. **NCJ-41558**

CORRECTIONAL INSTITUTIONS NEED TO ESTABLISH DEVELOPMENTAL PROGRAMS FOR RETARDED INMATES TO HELP THESE PERSONS LEARN SKILLS NEEDED FOR GREATER DEGREES OF INDEPENDENCE BOTH IN AND OUT OF PRISON. AT LEAST THREE TIMES AS MANY RETARDED PEOPLE ARE FOUND IN PRISONS THAN ARE FOUND IN THE GENERAL POPULATION. STUDIES INDICATE THAT, IN 1969, 9.5 PERCENT OF ALL INCARCERATED INMATES WERE MENTALLY RETARDED AND THAT IN 1976, 23,700 RETARDED PERSONS WERE IN PRISONS. RESEARCH SHOWS THAT ALTHOUGH RETARDED PEOPLE ARE NOT MORE PRONE TO CRIMINAL BEHAVIOR, THEY ARE MORE OFTEN CAUGHT, CONVICTED, AND SENTENCED TO PRISON THAN NONRETARDED PEOPLE.

MENTALLY RETARDED OFFENDERS ARE LESS LIKELY TO PLEA BARGAIN, OFTEN SERVE LONGER SENTENCES THAN NONRETARDED INMATES, AND OFTEN FAIL TO MEET PAROLE CRITERIA, THEREBY DISTORTING THE PERCENTAGES IN OFFENDER STATISTICS. BECAUSE FEW CORRECTION OFFICERS HAVE HAD SPECIAL TRAINING IN THE PROBLEMS OF RETARDED INMATES, CORRECTIONAL INSTITUTIONS HAVE NOT PROVIDED REHABILITATION FOR RETARDED OFFENDERS. THIS HAS RESULTED IN A MUCH HIGHER RATE OF RECIDIVISM FOR RETARDED OFFENDERS THAN FOR OTHER GROUPS. A RETARDED PERSON'S MATURATION PROCESS IS NOT ARRESTED AT ANY ONE STAGE OF DEVELOPMENT, BUT DOES LAG BEHIND NORMAL MATURATION RATES AND IS ADVERSELY AFFECTED BY THE SOCIAL ENVIRONMENT. THIS DEVELOPMENTAL LAG LEADS TO PROLONGED PHYSCIAL, SOCIAL, ECONOMIC, AND RESIDENTIAL DEFICIENCIES. NUMEROUS STUDIES OF THE EFFECTS OF WELL-DESIGNED PROGRAMS ON THE FUNCTIONING OF RETARDED PERSONS HAVE DOCUMENTED THAT GROWTH ALWAYS REMAINS A POSSIBILITY, AND PHENOMENAL CHANGES IN THE ABILITIES OF RETARDED PERSONS HAVE BEEN RECORDED.

19. **M. B. SANTAMOUR and B. WEST. RETARDED OFFENDER AND CORRECTIONS (FROM MENTAL RETARDATION AND THE LAW, 1978, BY PAUL FRIEDMAN—SEE NCJ-65558).** US EXECUTIVE OFFICE OF THE PRESIDENT PRESIDENT'S COMMITTEE ON MENTAL RETARDATION, 7TH AND D STREETS SW RO BG, WASHINGTON, DC 20515. 13 p. 1978.
NCJ-65559

AT LEAST THREE TIMES AS MANY RETARDED PERSONS ARE FOUND IN U.S. PRISONS AS ARE FOUND AMONG THE GENERAL POPULATION BECAUSE THE RETARDED PERSON IS AT A GREATER DISADVANTAGE IN THE CRIMINAL JUSTICE SYSTEM. DESPITE STUDIES INDICATING THAT IN 1976 THERE WERE 23,700 RETARDED PERSONS IN PRISONS NATIONWIDE, THE CONDITION OF RETARDATION AND BEHAVIOR DESIGNATED CRIMINAL ARE NOT NECESSARILY SYNONYMOUS. RATHER, MENTALLY RETARDED PERSONS ARE AT A DISTINCT DISADVANTAGE IN THE CRIMINAL JUSTICE SYSTEM AND ARE (1) MORE LIKELY TO BE CONVICTED, (2) LESS LIKELY TO RECEIVE PROBATION OR PAROLE, AND (3) MORE LIKELY TO RECIDIVATE THAN THEIR NONRETARDED COUNTERPARTS. CONFUSION ABOUT MENTAL RETARDATION IS FURTHER COMPOUNDED BY VARYING LEGAL DEFINITIONS, A LACK OF LEGAL DISTINCTION BETWEEN MENTAL ILLNESS AND MENTAL RETARDATION, AND THE ISSUE OF MENTAL COMPETENCY. THE NEED FOR ACCEPTANCE ALSO PLACES RETARDED PERSONS AT A DISADVANTAGE WHEN THEY ARE ACCUSED OF BREAKING THE LAW. FINDINGS SHOW THAT RETARDED SUSPECTS PLEAD GUILTY MORE READILY AND MORE FREQUENTLY THAN THEIR NON-RETARDED COUNTERPARTS. IN ADDITION, BECAUSE OF THEIR LACK OF SKILLS AND EDUCATION, RETARDED PERSONS ARE LESS LIKELY TO RECEIVE PROBATION AND PAROLE. FURTHER, RETARDED OFFENDER PROGRAMS ARE EITHER ENTIRELY LACKING OR ILL-SUITED TO THE SPECIAL NEEDS OF INDIVIDUAL OFFENDERS. RETARDATION MAY MOST CONSTRUCTIVELY BE VIEWED AS A PROBLEM OF DEPENDENCY WHICH INVOLVES PHYSICAL, SOCIAL, ECONOMIC, AND RESIDENTIAL FACETS. PROGRAMS FOR RETARDED OFFENDERS SHOULD INCLUDE DIAGNOSIS, EVALUATION AND CLASSIFICATION, DEVELOPMENT OF PERSONAL, PHYSICAL, EDUCATIONAL, AND VOCATIONAL SKILLS, COURSES IN HUMAN SEXUALITY, AND THE DEVELOPMENT OF SOCIAL VALUES AND INDEPENDENT LIFE SKILLS. THE BASIC ASSUMPTION UNDERLYING THIS GOAL IS THAT OF THE RETARDED PERSON'S RIGHT TO EQUAL OPPORTUNITIES FOR THE DEVELOPMENT OF FULLEST POTENTIAL. A BIBLIOGRAPHY IS INCLUDED.

20. **L. G. TRUBEK. PROMISING MARRIAGE—SOCIAL SCIENCE RESEARCH IN A PUBLIC INTEREST LAW FIRM.** 19 p. 1978.
NCJ-50388

A DISCUSSION IS PROVIDED OF THE CENTER FOR PUBLIC REPRESENTATION'S EXPERIENCE IN CONDUCTING SOCIAL SCIENCE RESEARCH IN A PUBLIC INTEREST LAW FIRM TO AID ATTORNEYS, RESEARCHERS, AND PUBLIC DECISION-MAKERS. THE CENTER, LOCATED IN MADISON, WISC., IS AN INDEPENDENT NONPROFIT LAW FIRM INVOLVED IN A NUMBER OF PROJECTS ON BEHALF OF CONSUMERS, WOMEN AND MINORITIES, THE ELDERLY, THE ENVIRONMENTALLY CONCERNED, JUVENILES, EXOFFENDERS, THE MENTALLY ILL, AND THE DEVELOPMENTALLY DISABLED. THE FIRM ALSO HAS A CLINICAL PROGRAM FOR UNIVERSITY OF WISCONSIN LAW STUDENTS AND A CITIZEN'S TRAINING PROJECT. INITIAL ORGANIZATIONAL DISCUSSIONS WERE STARTED IN 1973 BY A GROUP OF WISCONSIN LAW PROFESSORS, LAWYERS, AND CITIZENS INTERESTED IN THE FORMATION OF AN INSTITUTION TO PROVIDE BOTH CLINICAL EDUCATION IN ADMINISTRATIVE LAW FOR LAW STUDENTS AND LEGAL AID FOR SEGMENTS OF SOCIETY FREQUENTLY UNREPRESENTED BEFORE STATE AGENCIES. THE FOCUS OF THE CENTER'S EFFORT IS TO DETERMINE ACTION DIRECTIONS, EVALUATE ADVOCACY, GATHER INFORMATION THAT WILL AID IN ESTABLISHING PUBLIC ADVOCACY POSITIONS, AND EVALUATE THE IMPACT OF SPECIFIC LAWS AND DECISIONS ON CLIENT GROUPS. TECHNIQUES USED IN THE CENTER'S SOCIAL SCIENCE RESEARCH PROGRAM INCLUDE SURVEYS OF PUBLIC NEEDS AND DETAILED QUANTITATIVE ANALYSIS OF SURVEY DATA, ANTHROPOLOGICAL OBSERVATION OF COMPLEX INSTITUTIONS SUCH AS SCHOOLS, LEGAL IMPACT STUDIES, COST-BENEFIT ANALYSIS, AND SYSTEMATIC AND THEORETICAL MODELING OF THE ROLE OF ADVOCACY IN THE LEGAL-GOVERNMENTAL PROCESS. STRENGTHS AND LIMITATIONS OF A RESEARCH PROGRAM IN A PUBLIC INTEREST LAW FIRM ARE NOTED, INCLUDING THOSE RELATING TO FUNDING AND THE INTEGRATION OF RESEARCH AND ADVOCACY WITHIN THE INSTITUTION. RECOMMENDATIONS FOR PROGRAM IMPLEMENTATION ARE OFFERED. A LIST OF THE CENTER'S RESEARCH PUBLICATIONS IS APPENDED.

Supplemental Notes: PRESENTED AT THE LAW AND SOCIETY ASSOCIATION NATIONAL MEETING, MINNEAPOLIS, MINNESOTA, MAY 18-20, 1978.

Availability: NCJRS MICROFICHE PROGRAM.

21. **UNIVERSITY OF MISSOURI, ST LOUIS, 8001 NATURAL BRIDGE ROAD, ST LOUIS MO 63121. SERVICE TO THE MENTALLY RETARDED YOUTHFUL OFFENDER MANUAL FOR INSTRUCTORS.** 102 p. 1973. **NCJ-12822**

PLANNING AND EVALUATION OF EACH PRESENTATION OF A TRAINING PROGRAM FOR PERSONNEL IN AGENCIES WORKING WITH THE MENTALLY RETARDED YOUTHFUL OFFENDER. APPREHENSION BY POLICE, STUDY AND DIAGNOSIS, JUDICIAL DECISION, AND TREATMENT ARE COVERED. EACH UNIT INCLUDES AN OUTLINED LESSON PLAN AND SUGGESTIONS FOR COURSE MATERIALS AND SUPPLEMENTARY RESOURCES.

Sponsoring Agency: US DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE SOCIAL & REHABILITATION SERVICE, 330 C STREET, SW, WASHINGTON DC 20024.

22. **R. WILSON. WHO WILL CARE FOR THE 'MAD AND BAD'?** CRIMINAL JUSTICE PUBLICATIONS, INC, 801 SECOND AVENUE, NEW YORK NY 10017. *CORRECTIONS MAGAZINE*, V 6, N 1 (FEBRUARY 1980), P 5-9, 12-17. **NCJ-65013**

CARING FOR AND COPING WITH MENTALLY ILL INMATES ARE A MAJOR PROBLEM AND A MINOR BUDGET ITEM AT CORRECTIONAL INSTITUTIONS. PSYCHIATRIC TREATMENT OF INMATES INTENSIFIES THE REHABILITATION-CUSTODY CONFLICT. MANY MENTALLY ILL INMATES ARE RECEIVING EITHER INADEQUATE TREATMENT OR NO TREATMENT AT

ALL. MOREOVER, CONDITIONS IN PRISONS MAY UNDERMINE THE MENTAL HEALTH OF SOME PRISONERS. MENTAL HOSPITAL RELEASE POLICIES STIPULATING RELEASE OF MENTALLY ILL PERSONS TO COMMUNITY FACILITIES MAY BE TO BLAME FOR THE INCREASING NUMBERS OF MENTALLY ILL INMATES IN CORRECTIONS FACILITIES. MANY OF THESE INMATES MAY BE EX-PATIENTS INCAPABLE OF LIVING INDEPENDENTLY WITHOUT MEDICAL ATTENTION AND MAY HAVE COMMITTED CRIMES OUT OF MENTAL STRESS. GUIDELINES DEFINING PSYCHIATRIC CARE AS AN INMATE RIGHT HAVE BEEN ISSUED BY THE AMERICAN MEDICAL ASSOCIATION, AND IT IS EXPECTED THAT CORRECTIONAL INSTITUTIONS WILL HAVE TO COMPLY WITH THEM. HOWEVER, A NUMBER OF COMPLICATIONS OBSTRUCT THE IDENTIFICATION AND PROPER PSYCHIATRIC CARE OF MENTALLY ILL OFFENDERS EVEN IN WELL-MEANING INSTITUTIONS. IMPRECISE DEFINITIONS OF MENTAL ILLNESS ABOUND; FOR INSTANCE, CRIMINAL LAW DEFINES INSANITY IN MUCH NARROWER TERMS THAN THE PSYCHIATRIC COMMUNITY. MENTALLY ILL PRISONERS ARE FREQUENTLY SHUFFLED BETWEEN CORRECTIONAL INSTITUTIONS AND MENTAL HEALTH AGENCIES BECAUSE THE PSYCHOTIC SYMPTOMS RECEDE UNDER TREATMENT BUT REEMERGE ONCE THE PATIENT IS RETURNED TO PRISON. LEGAL BARRIERS SOMETIMES MAKE THE TRANSFER FROM PRISON TO HOSPITAL DIFFICULT; PRISONERS MUST BE PROVED DANGEROUS TO THEMSELVES OR OTHERS. MOREOVER, INMATE PRACTICES OF FEIGNING INSANITY COMPLICATE TRANSFERS, SINCE TRUE DISTURBANCES ARE FREQUENTLY CONFUSED WITH MOCK ONES. AN ETHICAL CONFLICT EXISTS FOR PSYCHIATRISTS WHOSE PRIMARY CLIENT IS THE PRISON SYSTEM RATHER THAN THE INDIVIDUAL INMATE PATIENT. AS LONG AS PSYCHIATRIC TREATMENT REMAINS WITHIN CORRECTIONAL FACILITIES, IT MAY ALWAYS BE LIMITED TO THE PRACTICE OF 'MEDICATE AND MAINTAIN.

Supplemental Notes: PRICE QUOTED IS FOR ENTIRE ISSUE. REPRINTS OF ARTICLE AVAILABLE IN LARGE QUANTITIES.

Availability: CRIMINAL JUSTICE PUBLICATIONS, INC, 801 SECOND AVENUE, NEW YORK NY 10017.

23. **H. V. WOOD. RETARDED PERSON IN THE CRIMINAL JUSTICE SYSTEM (FROM AMERICAN CORRECTIONAL ASSOCIATION—PROCEEDINGS OF THE 106TH ANNUAL CONGRESS OF CORRECTIONS, 1976—SEE NCJ-49145).** AMERICAN CORRECTIONAL ASSOCIATION, 4321 HARTWICK ROAD, COLLEGE PARK MD 20740. 5 p. 1976. **NCJ-49161**

THE FINDINGS AND RECOMMENDATIONS OF A MISSOURI STUDY OF THE HANDLING OF MENTALLY RETARDED OFFENDERS AND OF THE ATTITUDES OF CRIMINAL JUSTICE PERSONNEL TOWARD THESE OFFENDERS ARE SUMMARIZED. A SURVEY OF JUDGES, PROSECUTORS, PUBLIC DEFENDERS, AND PRIVATE ATTORNEYS FOUND THAT NONE OF THESE PERSONS HAD ANY SPECIALIZED TRAINING OR EDUCATION IN HANDLING THE MENTALLY RETARDED OFFENDER. HOWEVER, THE COURT PERSONNEL SHOWED A HIGH DEGREE OF SENSITIVITY TO THE QUESTIONS OF PROCEDURE IN ARREST, TRIAL, AND TREATMENT, AND ALMOST UNANIMOUSLY NOTED THE LACK OF LEGAL DISTINCTION BETWEEN THE MENTALLY ILL AND THE MENTALLY RETARDED. A MAJOR PROBLEM APPEARS TO BE FAILURE TO RECOGNIZE THAT A DEFENDANT IS RETARDED. THE STUDY FOUND THAT, WHILE ONLY 3 PERCENT OF THE STATE'S GENERAL POPULATION IS RETARDED, APPROXIMATELY 10 PERCENT OF THE INSTITUTIONAL POPULATION IS RETARDED, AND 6 TO 7 PERCENT OF THOSE ON PROBATION AND PAROLE CASELOADS ARE RETARDED. MOST RETARDED OFFENDERS ARE FROM URBAN AREAS, BROKEN HOMES, AND MINORITY GROUPS. MISSOURI'S CORRECTIONAL SYSTEM PROVIDES FEW ALTERNATIVE EDUCATIONAL PROGRAMS FOR THE MENTALLY RETARDED. MOST CORRECTIONAL STAFF HAVE NO TRAINING IN MENTAL RETARDATION, WHEREAS MOST PROBATION, PAROLE, AND POLICE OFFICERS HAVE SUCH TRAINING. THE STUDY RECOMMENDS THE CREATION OF A COORDINATING ORGANIZATION TO PROVIDE INTERDISCIPLINARY TRAINING IN MENTAL RETARDATION FOR ALL AGENCIES WHO DEAL WITH MENTALLY RETARDED CITIZENS. IT IS ALSO RECOMMENDED THAT DIVERSION, CRISIS INTERVENTION, AND PREVENTION PROGRAMS CONCENTRATE ON THE LOWEST COURT LEVEL, WHERE OVER 90 PERCENT OF THE CASES INVOLVING MENTALLY RETARDED OFFENDERS ARE HANDLED. THE STUDY ALSO SUGGESTS THAT SPECIALLY TRAINED PROBATION, PAROLE, AND JUVENILE WORKERS BE ASSIGNED TO MENTALLY RETARDED OFFENDERS AND THAT THEY BE ASSISTED BY MENTAL HEALTH CASEWORKERS AND TRAINED VOLUNTEERS. IT IS FURTHER RECOMMENDED THAT THE STATE DEPARTMENT OF EDUCATION PROVIDE THE DEPARTMENT OF CORRECTIONS AND YOUTH SERVICES WITH SPECIAL EDUCATION SERVICES AND MATERIALS FOR RETARDED OFFENDERS.

24. **K. WOOLGROVE. QUESTIONING OF THE MENTALLY BACKWARD.** 36 p. 1976. United Kingdom. **NCJ-65389**

FOCUSING ON THE PROBLEMS FACED BY THE MENTALLY RETARDED IN THE CRIMINAL PROCESS, THE RELIGIOUS SOCIETY OF FRIENDS (QUAKERS) IN ENGLAND REVIEWS LITERATURE AND IDENTIFIES AREAS OF PARTICULAR CONCERN. RESEARCHERS FOUND CONSIDERABLE AMBIGUITY IN THE LITERATURE ABOUT THE PRECISE MEANING OF VARIOUS TERMS RELATING TO MENTAL RETARDATION, AND A PAUCITY OF RESEARCH MATERIAL ON THE DIFFICULTIES ENCOUNTERED BY THE RETARDED IN THE CRIMINAL JUSTICE SYSTEM. TOPICS ADDRESSED INCLUDE THE NATURE AND PREVALENCE OF MENTAL RETARDATION, LEGAL PROVISIONS FOR THE INTERROGATION OF SUSPECTS, INTERROGATION OF THE MENTALLY RETARDED, THE USE OF CONFESSIONS AND STATEMENTS IN EVIDENCE, AND THE AMERICAN PERSPECTIVE. ALTHOUGH THE MENTALLY RETARDED CONSTITUTE ONLY A TINY PROPORTION OF THE BRITISH AND AMERICAN POPULATIONS (2 AND 3 PERCENT, RESPECTIVELY), THERE HAS BEEN A HISTORIC TENDENCY TO ASSOCIATE MENTAL DEFICIENCY WITH SOCIAL DEVIANCE. STUDIES OF PRISON POPULATIONS HAVE SHOWN A HIGHER INCIDENCE OF MENTAL RETARDATION AMONG PRISONERS THAN IN THE POPULATION AS A WHOLE. ALTHOUGH BRITISH POLICE ARE FORBIDDEN TO USE COERCIVE METHODS OF QUESTIONING SUSPECTS, RETARDED INDIVIDUALS ARE LIKELY TO MISUNDERSTAND WHY THEY ARE BEING QUESTIONED, THE SIGNIFICANCE OF THE QUESTIONS, AND THE POSSIBLE CONSEQUENCES OF THEIR ANSWERS. ENCOURAGING SIGNS FOR THE TREATMENT OF THE MENTALLY RETARDED INCLUDE THE ISSUANCE OF A CIRCULAR BY THE BRITISH HOME SECRETARY TO THE POLICE DRAWING ATTENTION TO THE NEED FOR SPECIAL CARE IN THE INTERROGATION OF MENTALLY HANDICAPPED PERSONS. IT SUGGESTS THAT THE REQUIREMENT OF THE PRESENCE OF A THIRD PERSON, ALREADY REQUIRED IN THE CASE OF MENTALLY HANDICAPPED CHILDREN, SHOULD BE EXTENDED TO MENTALLY HANDICAPPED ADULTS. FOOTNOTES AND A BIBLIOGRAPHY ARE INCLUDED.

Supplemental Notes: COMMISSIONED BY PENAL AFFAIRS COMMITTEE, RELIGIOUS SOCIETY OF FRIENDS.

RECOGNIZING AND CLASSIFYING THE HANDICAPPED

25. **R. C. ALLEN. RETARDED OFFENDER—UNRECOGNIZED IN COURT AND UNTREATED IN PRISON.** ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS, SUPREME COURT BUILDING, WASHINGTON DC 20544. *FEDERAL PROBATION (SEPTEMBER 1968).* P 22-27. **NCJ-02079**

A COMMENT ON THE FAILURE OF THE CRIMINAL JUSTICE SYSTEM TO IDENTIFY AND TREAT MENTAL RETARDATES. PROJECTING THE PERCENTAGE OF RETARDED INMATES IDENTIFIED BY THE INSTITUTE OF LAW, PSYCHIATRY AND CRIMINOLOGY IN THEIR STUDY OF SIX ADULT CORRECTIONAL INSTITUTIONS IN SIX DIFFERENT STATES THERE ARE NEARLY 20,000 ADULT OFFENDERS WHO ARE SUBSTANTIALLY IMPAIRED, IN AMERICAN PRISONS, OF WHOM 3,300 ARE CLASSIFIABLE AS MODERATELY TO PROFOUNDLY RETARDED. UNIDENTIFIED, THEIR CONFINEMENT IS MERELY CUSTODIAL RATHER THAN REHABILITATIVE. PRIOR TO OR DURING THE TRIAL THE DEFENSE COUNSEL MUST RAISE THE ISSUE OF MENTAL IMPAIRMENT. ADDITIONALLY MENTAL RETARDATION DOES NOT FIGURE PROMINENTLY IN DETERMINATIONS OF CRIMINAL RESPONSIBILITY. AT PRESENT THERE IS LITTLE INCENTIVE TO IDENTIFY THE RETARDED IN THE CRIMINAL JUSTICE SYSTEM.

26. **AMERICAN MEDICAL ASSOCIATION, 535 NORTH DEARBORN STREET, CHICAGO IL 60610. RECOGNITION OF JAIL INMATES WITH MENTAL ILLNESS, THEIR SPECIAL PROBLEMS AND NEEDS FOR CARE.** 10 p. 1977. **NCJ-43512**

THIS HANDBOOK HELPS POLICE AND JAIL PERSONNEL RECOGNIZE MENTAL ILLNESS IN ARRESTEES AND DISTINGUISH MENTAL ILLNESS FROM MEDICAL CONDITIONS PRODUCING SIMILAR SYMPTOMS. MANY PHYSICAL CONDITIONS PRODUCE SYMPTOMS SIMILAR TO MENTAL ILLNESS, INCLUDING DIABETES, HEAD INJURIES, HIGH BLOOD PRESSURE, AND EPILEPSY AND OTHER CONDITIONS ASSOCIATED WITH CONVULSIONS. THE IMPORTANCE OF CAREFUL OBSERVATION DURING THE FIRST HOURS AFTER ARREST AND OF MEDICAL EXAMINATION AS SOON AS POSSIBLE IS EMPHASIZED. METHODS OF IDENTIFYING MENTALLY ILL PERSONS, TECHNIQUES FOR HANDLING THEM QUIETLY AND FIRMLY, AND TACTICS USEFUL IN CASES OF VIOLENCE ARE GIVEN. DEPRESSION OFTEN LEADS TO SUICIDE. SUICIDE PREVENTION IS DISCUSSED. THE SPECIAL PROBLEMS OF MENTAL RETARDATION, ELDERLY PERSONS, ALCOHOLICS, AND VARIOUS FORMS OF DRUG ADDICTION ARE DISCUSSED WITH SUGGESTIONS FOR HANDLING THEM. IF JAIL FACILITIES CANNOT PROVIDE EMERGENCY CARE OR SUITABLE LONG-TERM CARE, ARRANGEMENTS FOR TRANSPORTATION TO AN APPROPRIATE FACILITY SHOULD BE STANDARD OPERATING PROCEDURE. LONG-TERM JAIL PROCEDURES FOR THOSE WITH MENTAL ILLNESS NEED TO BE CAREFULLY DEFINED. SUGGESTIONS ARE MADE FOR APPROPRIATE HOUSING AND WORK ASSIGNMENTS, OBSERVATION PROCEDURES, AND GUIDELINES FOR CALLING FOR HELP. SPECIFICATIONS FOR A PSYCHIATRIC/SUICIDAL OBSERVATION ROOM ARE ALSO GIVEN.

Sponsoring Agency: US DEPARTMENT OF JUSTICE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION, 633 INDIANA AVENUE, NW, WASHINGTON DC 20531.

Availability: NCJRS MICROFICHE PROGRAM.

27. **A. H. BLUMER. JAIL OPERATIONS—A TRAINING COURSE FOR JAIL OFFICERS PROGRAMMED INSTRUCTION, BOOK 6—SPECIAL PRISONERS.** BUREAU OF PRISONS, 320 FIRST STREET, NW, WASHINGTON DC 20534; UNIVERSITY OF WISCONSIN, MADISON WI 53706. 81 p. 1973. **NCJ-17551**

PART OF A SET OF SIX PROGRAMMED INSTRUCTION TRAINING MANUALS FOR JAIL OFFICERS, THIS VOLUME DISCUSSES THE WAYS TO RECOGNIZE AND HANDLE THOSE WHOSE PHYSICAL DISABILITIES OR MENTAL CONDITION REQUIRE SPECIAL TREATMENT AND CARE. SEE NCJ-17546 FOR COURSE ABSTRACT AND NCJ-17547-50 FOR THE OTHER PARTS OF THE COURSE. SEE NCJ-01369, 05122, AND 00166 FOR RELATED MATERIAL.

Sponsoring Agency: US DEPARTMENT OF JUSTICE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION, 633 INDIANA AVENUE, NW, WASHINGTON DC 20531.

Availability: GPO; NCJRS MICROFICHE PROGRAM.

28. **P. L. BROWNING, Ed. MENTAL RETARDATION—REHABILITATION AND COUNSELING.** CHARLES C THOMAS, 301-327 EAST LAWRENCE AVENUE, SPRINGFIELD IL 62717. 463 p. 1974. **NCJ-65888**

COMPREHENSIVE IN SCOPE AND DEPTH, THIS BOOK SEEKS TO UPGRADE AND UPDATE THE LITERATURE IN THE AREAS OF REHABILITATION AND COUNSELING AS THEY RELATE TO THE FIELD OF MENTAL RETARDATION. DISCUSSION IN THE FIRST SECTION ENCOMPASSES A BEHAVIORAL SCIENCE ORIENTATION OF MENTAL RETARDATION CONCEPTS, DEFINITIONS, CLASSIFICATION, ETIOLOGY, DEVELOPMENT, AND PERSONALITY CHARACTERISTICS. EVIDENCE IS PRESENTED TO COUNTER COMMONLY HELD ASSUMPTIONS ABOUT THE MENTALLY RETARDED, SUCH AS THE NOTION THAT THEY

REPRESENT 'CLINICALLY' DISTINCT TYPES OR THAT THEY HAVE AN UNUSUALLY HIGH INCIDENCE OF EMOTIONAL PROBLEMS AND PSYCHOPATHOLOGY. NEXT, PROGRAMS AND RESEARCH ON REHABILITATION AND MENTAL RETARDATION ARE REVIEWED, INCLUDING THE FEDERAL GOVERNMENT'S ROLE OF BRINGING THE MENTALLY RETARDED INTO THE MAINSTREAM OF SOCIAL SERVICE PROGRAMS. ALSO DISCUSSED ARE PREVOCATIONAL CONSIDERATIONS, WORK-STUDY PROGRAMS, A DESCRIPTIVE PROFILE OF FORMER SPECIAL EDUCATION STUDENTS, A BEHAVIORAL APPROACH TO VOCATIONAL PROGRAMMING, PREDICTIVE STUDIES ON REHABILITATION OUTCOME WITH THE RETARDED, AND THE FUTURE DIRECTION OF REHABILITATION. THE LAST SECTION DESCRIBES PROBLEMS, RESEARCH, AND IDEAS ON COUNSELING AND THE MENTALLY RETARDED, AND PRESENTS THE BASIC THEME THAT RETARDED PERSONS HAVE THE SAME PSYCHOLOGICAL NEEDS AS OTHER INDIVIDUALS. RECOMMENDATIONS ARE OFFERED FOR WORKING WITH THE RETARDED IN A COUNSELING CAPACITY. AN EXPLANATION OF A RECENTLY ACCEPTED APPROACH BASED ON LEARNING PRINCIPLES--BEHAVIOR COUNSELING--IS ALSO PRESENTED. DESIGN PROBLEMS EVIDENT IN COUNSELING OUTCOME STUDIES ARE IDENTIFIED, AND SEVEN OUTCOME STUDIES ARE CRITICALLY ANALYZED. TABLES, FIGURES, AND AUTHOR AND SUBJECT INDEXES ARE PROVIDED AS WELL AS 881 REFERENCES, 300 OF WHICH ARE ANNOTATED. LISTINGS OF 77 BASIC READINGS, REHABILITATION RESEARCH AND DEMONSTRATION PROJECTS, AND FILMS ON MENTAL RETARDATION ARE APPENDED.

Availability: CHARLES C THOMAS, 301-327 EAST LAWRENCE AVENUE, SPRINGFIELD IL 62717.

29. **G. COOKE, E. POGANY, and N. G. JOHNSTON. COMPARISON OF BLACKS AND WHITES COMMITTED FOR EVALUATION OF COMPETENCY TO STAND TRIAL ON CRIMINAL CHARGES.** FEDERAL LEGAL PUBLICATIONS, INC. 95 MORTON STREET, NEW YORK NY 10014. *JOURNAL OF PSYCHIATRY AND LAW.* V 2, N 3, (FALL 1974), P 319-334. **NCJ-50353**

CRIMINAL CHARGES, DIAGNOSES, COMPETENCY FINDINGS, AND DISPOSITIONS WERE STUDIED TO COMPARE THE PSYCHOPATHOLOGY OF BLACK AND WHITE MALES REFERRED TO THE MICHIGAN CENTER FOR FORENSIC PSYCHIATRY IN 1969. RECORDS OF 177 BLACK AND 149 WHITE MALES WERE CATEGORIZED BY RACE, AGE, MARITAL STATUS, EDUCATIONAL LEVEL, CRIME, DIAGNOSIS, COMPETENCY STATUS, AND RECOMMENDED PLACEMENT. A RANDOM SAMPLE WAS DRAWN WITHIN EACH RACE THAT CONSISTED OF 70 BLACK AND 70 WHITES. THIS SAMPLE WAS USED TO EVALUATE THE FREQUENCY WITH WHICH THE MINNESOTA MULTIPHASIC PERSONALITY INVENTORY (MMPI) WAS GIVEN, PATIENT CHARACTERISTICS ASSOCIATED WITH ADMINISTRATION OF THE MMPI, AND MMPI PROFILES FOR BLACKS AND WHITES. IN 1969, BLACKS CONSTITUTED 45.7 PERCENT OF ALL REFERRALS TO THE CENTER. WITH REGARD TO DEMOGRAPHIC CHARACTERISTCS, THE POPULATIONS OF BLACKS AND WHITES WERE NOT SIGNIFICANTLY DIFFERENT. THE FREQUENCY OF CRIME WAS NOT DISTRIBUTED DIFFERENTIALLY OVER RACE FOR ANY CRIME CATEGORY NOR FOR THE TOTAL OF ALL CRIMES. BLACKS WERE SIGNIFICANTLY MORE OFTEN DIAGNOSED AS MENTALLY RETARDED OR FUNCTIONALLY PSYCHOTIC AND LESS OFTEN AS HAVING A PERSONALITY DISORDER. COMPETENCY AND PLACEMENT WERE RELATED TO RACE, WITH BLACKS MORE FREQUENTLY JUDGED AS INCOMPETENT TO STAND TRIAL AND MORE FREQUENTLY PLACED IN A MAXIMUM SECURITY SETTING RATHER THAN IN AN AREA HOSPITAL. MMPI DATA SUGGESTED THAT BLACKS AND WHITES REFERRED FOR EVALUATION DID NOT DIFFER IN THE LEVEL OF PATHOLOGY BUT THAT PATHOLOGY IN BLACKS WAS OVERDIAGNOSED BY CLINICIANS. EFFECTS OF THIS OVERDIAGNOSIS ON DISPOSITION WERE CLEARLY REFLECTED IN THE GREATER FREQUENCY OF THE ADJUDICATION OF INCOMPETENCY FOR BLACKS. MORE STUDY IS RECOMMENDED TO REMEDY THE TENDENCY TO OVERESTIMATE PATHOLOGY IN BLACKS. THE RECRUITMENT AND ENCOURAGEMENT OF BLACKS TO ENTER MENTAL HEALTH PROFESSIONS MAY ALSO SERVE TO MINIMIZE THIS TREND. NOTES AND SUPPORTING DATA ARE INCLUDED.

30. **CORRECTIONAL SERVICES FOR THE DEVELOPMENTALLY DISABLED, INC, 4803 SOUTH WABASH AVENUE, CHICAGO IL 60615. DEVELOPMENTALLY DISABLED OFFENDER IN THE ILLINOIS CRIMINAL JUSTICE SYSTEM.** 214 p. 1975. **NCJ-46723**

FINDINGS FROM 5 STUDIES WHICH EXPLORE THE SPECIAL PROBLEMS OF THE DEVELOPMENTALLY DISABLED OFFENDER, TOGETHER WITH 50 CASE STUDIES ARE PRESENTED TOGETHER WITH RECOMMENDATIONS IN THIS 2-VOLUME REPORT. THE PROBLEMS OF THE MENTALLY RETARDED OFFENDER ARE DISCUSSED. THE STUDIES, BASED ON INTERVIEWS AND QUESTIONNAIRES, FOUND THAT POLICE OFFICERS IN ILLINOIS DO NOT HAVE THE TRAINING TO DETECT SYMPTOMS OF DEVELOPMENTAL DISABILITY AND OFTEN SUCH PERSONS ARE FUNNELED INTO THE CRIMINAL JUSTICE SYSTEM WHERE THEY ARE FACED WITH PROCEEDINGS THEY DO NOT UNDERSTAND AND CORRECTIONAL ALTERNATIVES WHICH ARE NOT APPROPRIATE. IT IS RECOMMENDED THAT COURT PERSONNEL BE AWARE OF THE SYMPTOMS OF MENTAL RETARDATION AND THAT SPECIALIZED COMMUNITY HEALTH AGENCIES BE CONTACTED WHEN SUCH AN OFFENDER IS APPREHENDED. IT IS ALSO RECOMMENDED THAT JUDICIAL PERSONNEL SUPPORT COMMUNITY-BASED PROGRAMS AND SPECIAL INSTITUTIONS AS ALTERNATIVES TO PRISON, AND THAT CORRECTIONS PERSONNEL BE GIVEN TRAINING IN WORKING WITH THE MENTALLY RETARDED. COMMUNITY AGENCIES SHOULD BE UTILIZED TO PROVIDE RECREATIONAL FACILITIES, DIAGNOSTIC HELP, AND OTHER SPECIALIZED SERVICES. MANY COURTS FIND THEMSELVES AT A LOSS WHEN CALLED UPON TO DEAL WITH THE MENTALLY RETARDED. OFTEN SUCH PERSONS ARE SENTENCED TO LONG TERMS IN MENTAL HOSPITALS, WHICH DEPRIVE THEM OF THEIR LIBERTIES. PLEA BARGAINING IS CALLED A BETTER ALTERNATIVE. EACH STUDY IS REPORTED IN DETAIL. THE SURVEY INSTRUMENTS ARE APPENDED.

Availability: ERIC DOCUMENT REPRODUCTION SERVICE, P O BOX 190, ARLINGTON VA 22210 Stock Order No. ED 119 407; NCJRS MICROFICHE PROGRAM.

31. **B. FISHER, S. BRODSKY, and S. CORSE. MONITORING AND CLASSIFICATION GUIDELINES AND PROCEDURES—PRISON CLASSIFICATION PROJECT.** UNIVERSITY OF ALABAMA DEPARTMENT OF PSYCHOLOGY CENTER FOR CORRECTIONAL PSYCHOLOGY, BOX 2968, UNIVERSITY, AL 35486. 50 p. 1977. **NCJ-46954**

GUIDELINES AND PROCEDURES FOR THE CLASSIFICATION OF PRISONERS WERE DEVELOPED BY THE PROJECT DURING THE CLASSIFICATION OF ALL INMATES IN ALABAMA IN 1976. THE PRISON CLASSIFICATION PROJECT WAS CONDUCTED BY THE CENTER FOR CORRECTIONAL PSYCHOLOGY OF THE UNIVERSITY OF ALABAMA, IN RESPONSE TO A MANDATE BY A FEDERAL COURT TO THE BOARD OF CORRECTIONS. AS DEFINED BY THE COURT, THE PURPOSE OF CLASSIFICATION IS TO ASSESS AN INMATE'S NEEDS IN THE AREAS OF CUSTODY, MEDICAL AND MENTAL HEALTH CARE, AND EDUCATIONAL, VOCATIONAL, AND WORK ASSIGNMENTS SO THAT APPROPRIATE PROGRAMS AND SERVICES CAN BE PROVIDED. THE GOAL OF THE PROGRAM IS TO PROVIDE THE INMATE WITH THE KIND OF SKILLS AND TREATMENT THAT WILL PERMIT REHABILITATION AND PREPARATION FOR RETURN TO THE COMMUNITY. DIRECTIVES WERE TO COM-

PLETE CLASSIFICATION OF A NEW INMATE AS SOON AS POSSIBLE, NORMALLY WITHIN 15 DAYS, AND EACH PRISONER MUST BE REVIEWED AT LEAST ONCE EVERY 12 MONTHS. THE WHOLE PROCESS MUST BE EXPLAINED IN DETAIL TO THE INMATE PRIOR TO THE INTERVIEW IN WHICH THE INMATE IS PERSONALLY INTERVIEWED BY A MEMBER OF THE PROFESSIONAL STAFF (THE MONITOR) AT SEVERAL STAGES DURING PROCESS THE PRISONER IS ALLOWED TO STATE WHICH CLASSIFICATION ASSIGNMENT SEEMS APPROPRIATE. EVERY INMATE IS ASSIGNED TO A CUSTODY GRADE. INCENTIVE FOR GOOD BEHAVIOR MAY BE GRANTED, AND CONVERSELY, BAD BEHAVIOR WILL BE TAKEN INTO ACCOUNT BY THE CLASSIFICATION BOARD. THE INMATE IS ASSIGNED TO AN INSTITUTION ACCORDING TO FACTORS OF AGE, PRIOR RECORD, INSTITUTIONAL VIOLENCE, AND AN APPROPRIATE SET OF VOCATIONAL AND EDUCATIONAL NEEDS CONSISTENT WITH THOSE OFFERED BY EACH INSTITUTION. THE AVAILABLE INSTITUTIONS ARE BRIEFLY DESCRIBED. OCCASSIONALLY, INMATES WITH SPECIAL INTERESTS OR NEEDS ARE GIVEN SPECIAL ASSIGNMENTS DESIGNED TO FIT THOSE INTERESTS OR NEEDS. MEDICAL AND MENTAL HEALTH CARE NEEDS ARE MET, INCLUDING SPECIAL ASSIGNMENTS FOR THOSE FOUND TO BE MENTALLY RETARDED. PSYCHOTHERAPY AND COUNSELING FOR PERSONAL GROWTH OR DRUG OR ALCOHOL ABUSE, ARE OFFERED, AS ARE ACADEMIC AND VOCATIONAL EDUCATION PROGRAMS. MEANINGFUL WORK ASSIGNMENTS ARE ALSO PROVIDED. APPENDED ARE FORMS FOR PRISON CLASSIFICATION ASSIGNMENT, MEDICAL CONSULTATION, AND CHECKLISTS FOR CORRECTIONAL COUNSELORS, VIOLENT BEHAVIOR, AND ESCAPE INFORMATION.

Availability: NCJRS MICROFICHE PROGRAM.

32. **M. S. GORDON, C. E. SIMONSEN, and H. E. ALLEN. CASE CLOSEUP—THE 'UNRELATED CRIME' AND THE ASCHERMAN ACT.** OHIO STATE UNIVERSITY PROGRAM FOR THE STUDY OF CRIME AND DELINQUENCY, 1314 KINNEAR ROAD, COLUMBUS OH 43212. 59 p. 1973. **NCJ-19431**

RESEARCH PAPER WHICH EXAMINES THE IMPLEMENTATION OF OHIO'S PSYCHOPATHIC OFFENDER LAW AS IT APPLIED TO A SAMPLE OF ELEVEN OFFENDERS DRAWN FROM THE TOTAL COMMITTED ASCHERMAN POPULATION FOR THE PERIOD 1966 TO 1972. THE ASCHERMAN ACT WAS DESIGNED TO BE ADMINISTERED BY THE CRIMINAL COURTS IN DEALING WITH PSYCHOPATHIC OR MENTALLY RETARDED OFFENDERS IN CASES IN WHICH THE COURT FOUND THAT THESE OFFENDERS PRESENTED A MENACE TO SOCIETY, AND THAT THE IMPOSITION OR CONTINUED ENFORCEMENT OF THE APPLICABLE PENAL SENTENCE WOULD NOT AFFORD TO SOCIETY SUCH PROTECTION FROM THESE OFFENDERS AS WAS NEEDED. THE RESEARCH HYPOTHESIS WAS AS FOLLOWS: PERSONS CONVICTED OF CRIMES 'UNRELATED' TO THE ASCHERMAN ACT AND THEREAFTER ORDERED TO BE EVALUATED AND SUBSEQUENTLY COMMITTED TO LIMA STATE HOSPITAL UNDER THE PROVISIONS OF THAT ACT, WILL BE FOUND TO BE NEITHER MENTALLY ILL, MENTALLY RETARDED, OR PSYCHOPATHIC OFFENDERS, NOR WILL THEY HAVE A PRIOR RECORD OF ARRESTS, CONVICTIONS AND/OR PSYCHIATRIC TREATMENT (WHICH MIGHT HAVE GIVEN AN INDICATION OF MENACE TO THEMSELVES AND THE PUBLIC). 'EACH OF THE ELEVEN SAMPLE OFFENDERS HAD BEEN CONVICTED OF A CRIME THAT THIS STUDY HAS DEFINED AS 'UNRELATED' TO THE INTENT OF THE ACT (I.E. DISTURBING THE PEACE AND GIVING FALSE INFORMATION TO AN OFFICIAL). EXAMINATION OF THE CASE RECORDS OF THE ELEVEN OFFENDERS REVEALED A PREPONDERANCE OF EVIDENCE AGAINST ACCEPTANCE OF THE RESEARCH HYPOTHESIS. RESEARCHERS CONCLUDED THAT THE COURTS RELIED HEAVILY ON THE OFFENDER'S PAST ARREST AND/OR PSYCHIATRIC TREATMENT RECORDS IN DECIDING TO ORDER AN EVALUATION; THAT THE EXAMINING FACILITY ALSO RELIED ON THE PAST RECORDS, AND IN EACH CASE MADE A DIAGNOSIS WHOSE DEFINITION FIT THE OFFENDER'S BEHAVIORAL PATTERN; AND THAT, IN DECIDING COMMITMENT, THE COURTS FOLLOWED RECOMMENDATION OFFERED BY LSH AND ADJUDGED THE OFFENDER ACCORDING TO THEIR DIAGNOSIS. IN ADDITION, ALL ELEVEN OFFENDERS WERE FOUND TO BE EITHER MENTALLY ILL, MENTALLY RETARDED, OR PSYCHOPATHIC, AND ALL ELEVEN DID HAVE PRIOR ARREST AND/OR PSYCHIATRIC TREATMENT RECORDS. (THE APPENDIX CONTAINS DATA ON THE ELEVEN OFFENDERS BY COURT JUDGEMENT AND COPIES OF THE SECTIONS OF THE OHIO CRIMINAL CODE REFERRING TO THE CRIMES WITH WHICH EACH WAS CHARGED. (AUTHOR ABSTRACT MODIFIED)

Sponsoring Agencies: OHIO DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION, STATE OFFICE BUILDING, 65 SOUTH FRONT STREET, COLUMBUS OH 43215; US DEPARTMENT OF JUSTICE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION, 633 INDIANA AVENUE, NW, WASHINGTON DC 20531; OHIO DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT, 30 EAST BROAD STREET, 26TH FLOOR, COLUMBUS OH 43215.

Availability: NCJRS MICROFICHE PROGRAM.

33. **R. E. HARDY and J. G. CULL. APPLIED PSYCHOLOGY IN LAW ENFORCEMENT AND CORRECTIONS.** 247 p. 1973. **NCJ-12444**

PRACTICAL COVERAGE THROUGH SELECTED ARTICLES OF TOPICS RANGING FROM CRIME CAUSES AND CRIMINAL BEHAVIOR TO SPECIFIC PROBLEMS SUCH AS ADDICTION AND GROUP BEHAVIOR. THIS BOOK IS ORIENTED TOWARD THE PRACTITIONER'S NEED FOR PRACTICAL INFORMATION ON INDIVIDUAL AND GROUP BEHAVIORS AND CHARACTERISTICS. DESCRIPTIVE CHAPTERS BY SEPARATE AUTHORS ADDRESS THE CAUSES OF CRIME, INMATE CHARACTERISTICS AND TRENDS IN CORRECTIONAL CHANGE, THEORIES OF DELINQUENCY AND APPROACHES TO ITS CONTROL, AND THE DEVELOPMENT OF THE HUMAN PERSONALITY. THE DIRECTION OF EMPHASIS THEN MOVES TO CONVEYING PRACTICAL UNDERSTANDING OF THE SPECIAL PROBLEMS FACED BY CORRECTIONS AND POLICE PERSONNEL IN DEALING WITH THE NARCOTICS ADDICT, THE ALCOHOLIC, AND THE PHYSICALLY DISABLED. THEIR CHARACTERISTICS AND RELATION TO CRIME ARE CLARIFIED. FURTHER CHAPTERS DISCUSS THE SOCIAL AND HUMAN DYNAMICS OF OUR SOCIETY, THE VARIOUS LANGUAGE, RACIAL, AND CULTURAL DIFFERENCES IN SOCIETAL COMPOSITION, AND THE DYNAMICS OF COMMUNITY INTERVENTION. PRESENTATION OF THE COMPLEXITIES OF GROUP BEHAVIOR AND THE DIFFICULTIES AND METHODS OF DEALING WITH GROUPS AND WITH THE VICTIMS OF CRIME COMPLETE THE DISCUSSION. (AUTHOR ABSTRACT MODIFIED)

Availability: CHARLES C THOMAS, 301-327 EAST LAWRENCE AVENUE, SPRINGFIELD IL 62717.

34. **S. H. MANNE, D. ROSENTHAL, and A. KANDEL. DIFFERENCES BETWEEN PERFORMANCE IQ AND VERBAL IQ IN A SEVERELY SOCIOPATHIC POPULATION.** *JOURNAL OF CLINICAL PSYCHOLOGY*, V 18, N 1 (JANUARY 1962) P 73-77. **NCJ-02222**

INTELLIGENCE TESTS ARE UTILIZED TO PROVIDE A BASIS FOR THE DETERMINATION OF DEFECTIVE DELINQUENCY. ONE HUNDRED AND NINETY THREE SEVERE SOCIOPATHS, LEGALLY CALLED DEFECTIVE DELINQUENTS WERE GIVEN THE WECHSLERBELLEVUE INTELLIGENCE SCALE AS PART OF A PSYCHIATRIC AND PSYCHOLOGICAL DIAGNOSTIC EVALUATION. PERFORMANCE IQ AND VERBAL IQ WERE EVALUATED. PERFORMANCE IQ WAS SIGNIFICANTLY HIGHER THAN VERBAL IQ WITH ONLY 22 PERCENT OF THE SUBJECTS SHOWING A REVERSAL IN DIRECTION. CONTRARY TO EXPECTATION, A DISPROPORTIONATE NUMBER OF THESE REVERSALS WAS FOUND IN MENTALLY DEFECTIVE SUBJECTS. FOUR POSSIBLE EXPLANATIONS WERE CONSIDERED.

35. **R. A. MATHEWS and L. W. ROWLAND. HOW TO RECOGNIZE AND HANDLE ABNORMAL PEOPLE.** LOUISIANA ASSOCIATION FOR MENTAL HEALTH, 1528 JACKSON AVENUE, NEW ORLEANS LA 70130. 49 p. 1964. **NCJ-08096**
CONSIDERATIONS FOR IDENTIFYING THE MENTALLY ILL AND FOR HANDLING VIOLENT AND DEPRESSED PERSONS AND THOSE SUFFERING FROM PHYSICAL ILLNESS OR AMNESIA. MANY OF THE PROBLEMS WHICH POLICEMEN MIGHT ENCOUNTER IN DEALING WITH DISTURBED PEOPLE ARE TREATED IN THIS SHORT BASIC MANUAL. INDIVIDUALS WITH SPECIAL MENTAL CONDITIONS ARE DESCRIBED—THE PSYCHOPATH, THE ALCOHOLIC, THE DRUG ADDICT, THE SEX OFFENDER, THE MENTALLY RETARDED ADULT, AND THE SENILE. THE AUTHORS EMPHASIZE THAT MOST OF THE CONDITIONS ARE ILLNESSES AND SHOULD BE DEALT WITH IN A CAREFUL AND NONCRITICAL MANNER. ALSO INCLUDED IS A SECTION ON THE POLICE OFFICER'S PERSONAL PROBLEMS WHICH MAY RESULT FROM THE SPECIAL STRESSES PLACED UPON HIM BECAUSE OF THE NATURE OF HIS WORK. ALTHOUGH WRITTEN SPECIFICALLY FOR THE POLICEMAN, THIS PUBLICATION MIGHT BENEFIT ANY OTHERS WHOSE WORK INVOLVES CONTACT WITH ABNORMAL PERSONALITIES.

36. **L. F. W. MCKIEL. HANDICAPPED--THE KEY IS UNDERSTANDING.** FEDERAL BUREAU OF INVESTIGATION, WASHINGTON DC 20535. *FBI LAW ENFORCEMENT BULLETIN*, V 46, N 5 (MAY 1977), P 3-9. **NCJ-41533**
THIS ARTICLE DISCUSSES SOME OF THE MENTALLY AND PHYSICALLY HANDICAPPED PERSONS WITH WHICH THE POLICE OFFICER MAY COME INTO CONTACT DURING THE PERFORMANCE OF HIS DUTIES. STRESSED IS THE FACT THAT, BY BEING AWARE OF SOME OF THE VISUAL CLUES AND HAVING BACKGROUND INFORMATION ON CAUSES AND CONDITIONS, THE POLICE OFFICER WILL BETTER BE ABLE TO TRANSLATE AND INTERPRET THE CONDITION TO AN IGNORANT OR SUSPICIOUS PUBLIC AND/OR PROVIDE THE NEEDED ASSISTANCE.

37. **D. NORLEY. POLICE TRAINING IN THE RECOGNITION AND HANDLING OF RETARDED CITIZENS—GUIDELINES AND MATERIAL.** NATIONAL ASSOCIATION FOR RETARDED CITIZENS, 2709 AVENUE E, EAST, ARLINGTON TX 76011. 19 p. 1976. **NCJ-65503**
GUIDELINES FOR CITIZENS ABOUT APPROACHING LOCAL POLICE AND ENCOURAGING THEM TO USE AN INSTRUCTIONAL OUTLINE TO TRAIN OFFICERS IN HOW TO RECOGNIZE AND HANDLE RETARDED PERSONS ARE PRESENTED. THE GOAL OF THE NATIONAL ASSOCIATION FOR RETARDED CITIZENS (NARC) IN DEVELOPING THIS PROGRAM IS TO MAKE LAW ENFORCEMENT AGENCIES RECOGNIZE THAT RETARDED CITIZENS NEED ASSISTANCE. IT IS HOPED THAT THE 2-HOUR INSTRUCTION SESSION IS PROPOSED AS MANDATORY TRAINING FOR POLICE OFFICERS IN EVERY STATE. PROCEDURES RECOMMENDED FOR THE ACTIVIST REPRESENTATIVE INCLUDE CONTACTING LOCAL POLICE AGENCIES TO DETERMINE WHETHER THEY HAVE SUCH TRAINING PROGRAMS AND CONVINCING THEM OF THE VALUE OF THIS COURSE. ACCORDING TO NARC, THE BEST TRAINERS ARE ARTICULATE PARENTS KNOWLEDGEABLE ABOUT NARC AND WELL INFORMED ABOUT RETARDATION. GRADUALLY, THIS EDUCATION SHOULD REACH BEYOND THE MUNICIPAL POLICE TO ALL THE PROFESSIONS IN LAW ENFORCEMENT, JUSTICE, AND LEGISLATION. TIPS ON HOW TO PREPARE FOR THE LECTURE ARE GIVEN, USEFUL HANDOUTS SUGGESTED, AND THE SUPPORTIVE ROLE OF NARC ASSURED. THE INSTRUCTION MATERIAL INCLUDES A SESSION ON BASIC INFORMATION FOR IDENTIFYING AND WORKING WITH THE RETARDED AND A BREAK PERIOD SO THAT POLICE CAN MINGLE WITH RETARDED CITIZENS. THE PRIMARY GOAL OF THE SESSION IS TO AVOID MISARRESTS AND COMPLICATIONS WHICH OFTEN OCCUR IN POLICE CONTACTS WITH RETARDED PERSONS. DEFINITIONS OF RETARDATION ARE REVIEWED, CAUSES CITED, AND CHARACTERISTICS OF RETARDED PERSONS IDENTIFIED. KINDNESS AND PATIENCE ARE STRESSED AS PARAMOUNT IN DEALING WITH THE RETARDED. THE COURSE OUTLINE AND A QUESTIONNAIRE ASSESSING THE PRECOURSE LEVEL OF INFORMATION ARE INCLUDED. RESOURCE MATERIALS ARE LISTED.
Availability: NATIONAL ASSOCIATION FOR RETARDED CITIZENS, 2709 AVENUE E, EAST, ARLINGTON TX 76011.

38. **M. PRESCOTT and E. VAN HOUTEN. STUDY OF THE CHARACTERISTICS AND TREATMENT OF MENTALLY RETARDED ADOLESCENT OFFENDERS IN NEW JERSEY.** RUTGERS MEDICAL SCHOOL COLLEGE OF MEDICINE AND DENTISTRY, P O BOX 101, PISCATAWAY NJ 08854. 49 p. 1979. **NCJ-67043**
THE DEPARTMENT OF PEDIATRICS OF RUTGERS MEDICAL SCHOOL IDENTIFIES CHARACTERISTICS OF NEW JERSEY'S MENTALLY RETARDED JUVENILES ACCUSED OF BREAKING THE LAW AND DESCRIBES THEIR TREATMENT BY THE SERVICE SYSTEM. THIS PRELIMINARY STUDY FOCUSES ON JUVENILES 18 YEARS OF AGE AND YOUNGER WHO BECOME INVOLVED WITH THE COURTS AND MEET THE MENTAL RETARDATION DEFINITIONS OF THE AMERICAN ASSOCIATION ON MENTAL DEFICIENCY (AAMD) AND NEW JERSEY'S DIVISION OF MENTAL RETARDATION (DMR), DIVISION OF YOUTH AND FAMILY SERVICES (DYFS), DEPARTMENT OF CORRECTIONS, AND JUVENILE JUSTICE SYSTEM. REMARKS RECOUNT JUVENILE JUSTICE PROFESSIONALS' PERCEPTIONS OF EACH STEP OF THE JUVENILE JUSTICE SYSTEM AS IT AFFECTS A MENTALLY RETARDED CHILD. PROCEDURES FOLLOWED BY NEW JERSEY'S DYFS ARE DETAILED, WITH ATTENTION TO DYFS' RELATIONSHIP WITH DMR, TO DYFS REFERRAL SERVICES, AND TO DYFS' GENERAL IGNORANCE ABOUT MENTAL RETARDATION. POPULATION SIZE, LEVELS OF RETARDATION, SEX, AGE, FAMILY STRUCTURE AND INCOME, AND TYPE OF OFFENSE ARE REPORTED AS IDENTIFIED THROUGH DMR RECORDS OF PERSONS REFERRED TO THEM. FURTHER RECORDS OUTLINE INFORMATION REGARDING COUNTY AND ORIGIN OF REFERRAL, BEHAVIOR MANAGEMENT PROBLEMS, AND LENGTH OF CONFINEMENT FOR ADOLESCENTS ACCEPTED BY DMR FACILITIES. CORRECTIONS INFORMATION MENTIONED RELATES TO THE SIZE AND CHARACTERISTICS OF THE TARGET POPULATION IN FACILITIES OPERATED BY THE DEPARTMENT OF CORRECTIONS: THE SKILLMAN TRAINING SCHOOL FOR BOYS, THE JAMESBURG TRAINING SCHOOL FOR GIRLS AND BOYS, AND THE YOUTH CORRECTIONAL INSTITUTIONS COMPLEX. CHARTS, GRAPHS, TABLES, A BIBLIOGRAPHY, AND A JUVENILE JUSTICE SYSTEM FLOW CHART PROVIDE ADDITIONAL DATA. RECOMMENDATIONS ARE BRIEFLY DEVELOPED FOR A TASK FORCE TO PURSUE STATUTE AND REGULATIONS REVIEWS, AND TO FURTHER PERSONNEL TRAINING AND THE DEVELOPMENT OF DISPOSITIONAL ALTERNATIVES.
Sponsoring Agency: US DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, 330 INDEPENDENCE AVENUE, SW, WASHINGTON DC 20201.

39. **J. ROBITSCHER. RETARDED OFFENDER.** PENNSYLVANIA PRISON SOCIETY, ROOM 302, SOCIAL SERVICES BUILDING, 311 SOUTH JUNIPER STREET, PHILADELPHIA PA 19107. *PRISON JOURNAL*, V 49, N 1 (SPRING-SUMMER 1969), P 13-23. **NCJ-65469**
THIS ARTICLE EXPLORES HISTORICAL METHODS OF CLASSIFYING THE RETARDED AND EXAMINES THEIR TREATMENT UNDER CRIMINAL LAW, WITH ATTENTION TO PATUXENT INSTITUTION'S GRADED-TIER SYSTEM FOR CATEGORIZING INMATES. RESEARCH HAS INDICATED THAT MANY SYSTEMS FOR DETERMINING WHO IS AND WHO IS NOT MENTALLY RETARDED ARE ERRONEOUS OR UNRELIABLE. THE INTELLIGENCE QUOTIENT TEST, FOR EXAMPLE, DESIGNATES MANY PERSONS AS RETARDED WHOSE CULTURAL OR EDUCATION-

AL BACKGROUND INTERFERES WITH THEIR ABILITY TO DO WELL ON THE TEST. VARIOUS COUNTRIES AND STATES IN THE U.S. HAVE DIFFERENT METHODS FOR DETERMINING THE MENTAL STATUS OF RETARDED OFFENDERS AND ASSIGN VARIOUS DEGREES OF RESPONSIBILITY FOR CRIMINAL ACTS TO THESE PERSONS. IN MARYLAND, A STATE NOTED FOR ITS MODERN TREATMENT OF THE DEFECTIVE DELINQUENT, PATUXENT INSTITUTION RECEIVES DEFECTIVE DELINQUENTS FOR AN INDETERMINATE PERIOD OF TIME. THE RETARDED OFFENDERS PARTICIPATE IN VOCATIONAL PROGRAMS (E.G., AUTOMOTIVE TRAINING, CARPENTRY, COOKING) AND IN EDUCATIONAL PROGRAMS. THEIR SUCCESS IN THESE PROGRAMS SUGGESTS THAT MANY OF THESE OFFENDERS ARE ERRONEOUSLY CLASSIFIED AS RETARDED. MOREOVER, PSYCHOTHERAPY HAS BEEN SUCCESSFUL IN THE TREATMENT OF MANY OF THESE INMATES, 70 PERCENT OF WHOM RECEIVE THIS THERAPY. FEW STATES HAVE SPECIAL LAWS TO COVER THE RETARDED CRIMINAL OFFENDER, AND MOST MAKE LITTLE EFFORT TO SEPARATE THIS OFFENDER FROM THE GENERAL PRISON POPULATION. A STUDY OF THE PREVALENCE OF MENTAL RETARDATION IN THE ANTISOCIAL POPULATION OF THE UNITED STATES AND OF THE TREATMENT OF RETARDED OFFENDER IN ADULT AND JUVENILE PENAL AND CORRECTIONAL INSTITUTIONS REVEALS THAT A HIGHER PROPORTION OF RETARDED OFFENDERS COMMIT SERIOUS PERSONAL OFFENSES, A SIGNIFICANT NUMBER OF RETARDED OFFENDERS ARE IN PRISON FOR FORGERY (POSSIBLY WITHOUT KNOWING THE NATURE OF THIS OFFENSE), AND ONLY SIX INSTITUTIONS HAVE PROGRAMS FOR THE RETARDATE. THE FAILURE OF PSYCHIATRISTS TO PRESS FOR LEGAL SAFEGUARDS THAT PROTECT THE INDIVIDUAL IS DECRIED. BECAUSE THE MENTALLY INCOMPETENT ARE NOT ABLE TO ACT IN THEIR OWN INTERESTS THEY NEED SPECIAL HELP IN PROTECTING THEIR INTERESTS. FOOTNOTES ARE INCLUDED.

40. **C. H. ROMIG. DEAF, THE HEARING IMPAIRED, AND THE POLICE.** UNIVERSITY OF ILLINOIS POLICE TRAINING INSTITUTE, CHICAGO IL 60680. 18 p. **NCJ-28702**

MANUAL TO ACQUAINT LAW ENFORCEMENT OFFICERS WITH THE UNIQUE PROBLEMS INVOLVING CITIZENS WHO HAVE IMPAIRED HEARING OR ARE DEAF. THE MANUAL IS INTENDED AS A HANDY REFERENCE TO BE USED DURING TIMES OF NEED WHEN QUICK DECISIONS ARE REQUIRED. SEVERAL OF THE MOST USED SIGNS AND SIGNALS OF THE DEAF ARE ILLUSTRATED.

Availability: NCJRS MICROFICHE PROGRAM.

41. **SACRAMENTO ASSOCIATION FOR THE RETARDED, 2409 J STREET, SACRAMENTO CA 95816. FAMILIARIZATION AND IDENTIFICATION OF MENTALLY RETARDED PERSONS AND SUGGESTED METHODS OF HANDLING.** 9 p. 1975. **NCJ-32881**

THIS INFORMATION SHEET, DESIGNED FOR LAW ENFORCEMENT OFFICERS, DEFINES THE MAJOR CLASSIFICATIONS OF MENTAL RETARDATION, CONTRASTS RETARDATION TO MENTAL ILLNESS, AND DISCUSSES SOURCES OF TROUBLE WITH THE RETARDED. ALSO COVERED IS THE REFERRAL PROCEDURE TO BE FOLLOWED.

Availability: NCJRS MICROFICHE PROGRAM.

42. **D. S. SCHAG. PREDICTING DANGEROUSNESS—AN ANALYSIS OF PROCEDURES IN A MENTAL HEALTH CENTER AND TWO POLICE AGENCIES.** 171 p. 1977. **NCJ-51133**

THE PROCESS BY WHICH PERSONS WHO APPEAR TO PRESENT A DANGER TO THEMSELVES OR OTHERS ARE APPREHENDED AND DETAINED IN SANTA CRUZ, CALIF., IS EXAMINED. THE LITERATURE INDICATES THAT, WHILE THE CONCEPT OF DANGEROUSNESS IS BECOMING INCREASINGLY IMPORTANT IN THE CRIMINAL JUSTICE AND MENTAL HEALTH SYSTEMS, DANGEROUSNESS CANNOT BE PREDICTED ACCURATELY AND USUALLY IS OVERPREDICTED. IN CALIFORNIA, POLICE ARE AUTHORIZED TO MAKE EMERGENCY APPREHENSIONS OF PERSONS WHO SEEM TO PRESENT A DANGER TO THEMSELVES OR OTHERS OR WHO SEEM TO BE GRAVELY DISABLED BECAUSE OF A MENTAL DISORDER. SUCH PERSONS MAY BE SCREENED AT DESIGNATED MENTAL HEALTH FACILITIES, WHERE THEY MAY BE CONFINED INVOLUNTARILY FOR 72 HOURS FOR EVALUATION AND TREATMENT. TO ASSESS THE PROCESS OF EMERGENCY APPREHENSION AND SCREENING IN SANTA CRUZ, 34 POLICE OFFICERS AND 6 MENTAL HEALTH CENTER CRISIS INTERVENTION WORKERS (SCREENERS) WERE OBSERVED AND INTERVIEWED, AND POLICE AND SCREENING REPORTS ON 196 CASES WERE REVIEWED. BOTH POLICE AND CRISIS INTERVENTION WORKERS SEEMED TO VIEW DANGEROUSNESS AS A TRAIT OF THE INDIVIDUAL; I.E., TO LABEL THE PERSON RATHER THAN THE PERSON'S BEHAVIOR AS DANGEROUS. POLICE TENDED TO MAINTAIN AN AUTHORITARIAN STANCE IN EMERGENCY APPREHENSIONS, TREATING THE INDIVIDUAL THE SAME AS ANY OTHER ARRESTEE. CRISIS WORKERS SEEMED SOMEWHAT MORE ORIENTED TO A PARENS PATRIAE ATTITUDE TOWARD EMERGENCY DETAINEES. HOWEVER, POLICE AND CRISIS INTERVENTION WORKERS WERE MORE SIMILAR THAN DISSIMILAR. BOTH WERE CONCERNED WITH THE PROTECTION OF SOCIETY AS WELL AS THE WELFARE OF THE INDIVIDUAL. THEIR SHARED OBJECTIVE WAS TO DETAIN POTENTIALLY DANGEROUS PERSONS UNTIL SOMEONE MORE QUALIFIED COULD MAKE THE ULTIMATE DECISION. THE ATTRIBUTION OF DANGEROUSNESS APPEARS TO BE A COMPLEX PROCESS INVOLVING MANY VARIABLES ASSOCIATED WITH SOCIAL CONTEXT, THE DECISION-MAKER, AND THE DETAINEE. BIZARRE BEHAVIOR AND PSYCHIATRIC HISTORY WERE MORE STRONGLY RELATED TO THE LIKELIHOOD OF PSYCHIATRIC CONFINEMENT THAN ANY OTHER VARIABLE STUDIED. INTERVIEWS WITH CRISIS INTERVENTION WORKERS INDICATED THAT THE WORKERS THEMSELVES FELT THAT THEY OVERPREDICTED DANGEROUSNESS. POLICY AND RESEARCH IMPLICATIONS OF THE FINDINGS ARE DISCUSSED. SUPPORTING DATA, A LITERATURE REVIEW, AND A LIST OF REFERENCES ARE INCLUDED.

Supplemental Notes: UNIVERSITY OF CALIFORNIA, SANTA CRUZ—DOCTORAL DISSERTATION.

Availability: UNIVERSITY MICROFILMS, 300 NORTH ZEEB ROAD, ANN ARBOR MI 48106. Stock Order No. 78-11,559.

43. **R. STERNHELL. NEW ORLEANS (LA)—YOUTH STUDY CENTER—FINAL EVALUATION REPORT.** NEW ORLEANS MAYOR'S CRIMINAL JUSTICE COORDINATING COUNCIL, 1000 HOWARD AVENUE, NEW ORLEANS LA 70113. 37 p. 1979. **NCJ-61801**

THE LEAA-FUNDED YOUTH STUDY CENTER (YSC) OF NEW ORLEANS, LA., IS DESCRIBED AND EVALUATED; PROGRAM GOALS AND OBJECTIVES, THE RESEARCH DESIGN, PROJECT DEVELOPMENT, AND CONCLUSIONS ARE EMPHASIZED. THE YSC WAS IMPLEMENTED TO PROVIDE FOR THE DETENTION OF YOUTHS CHARGED WITH CRIMINAL ACTS WHO REQUIRE INCARCERATION PRIOR TO HEARING AND THE CLINICAL EVALUATION OF THE YOUTHS FOR EVIDENCE OF EITHER PSYCHIATRIC DISORDER OR MENTAL RETARDATION. INHERENT IN THE OPERATION OF THE YSC'S DIAGNOSTIC UNIT IS THE RELATIONSHIP BETWEEN MENTAL DISORDER, MENTAL RETARDATION, AND CRIMINAL BEHAVIOR BY JUVENILES. SPECIFIC PURPOSES OF THE YSC ARE TO PROVIDE DIAGNOSTIC WORKSHOPS TO THE NONDETAINED DELINQUENT BEYOND WHAT IS PRESENTLY AVAILABLE AND TO PROVIDE TREATMENT RESOURCES NOT CURRENTLY AVAILABLE TO THE JUVENILE OFFENDER. KEY ELEMENTS OF THE DIAGNOSTIC SERVICES INCLUDE FAMILY INTERVIEWS, PSYCHOLOGICAL TESTING, INTERVIEWS WITH THE YOUTHS, AND PSYCHIATRIC EVALUATION IF INDICATED. THE RESULTING

REPORT, PROVIDING TREATMENT RECOMMENDATIONS AND A STATEMENT BY THE CASEWORKER, IS SENT TO THE COURT. THE YSC PROJECT EVALUATION FOCUSED ON SUCH QUESTIONS AS REFERRAL SOURCES, REASON FOR REFERRAL, NUMBER OF REFERRALS, PARENTAL COOPERATION, NUMBER OF YOUTHS TESTED, NUMBER OF PSYCHIATRIC DIAGNOSES, NUMBER OF COMPLETED EVALUATIONS, AND AVERAGE TIME INVOLVED. ALL DATA WERE OBTAINED EITHER FROM THE GRANT APPLICATION AND MONTHLY NARRATIVES, OR FROM YSC CASE FILES. FORMAL DATA COLLECTION TOOK PLACE DECEMBER 1977 THROUGH JANUARY 1978; 120 CASES WERE CONSIDERED. THE YSC WAS FOUND TO HAVE IMPLEMENTED THE GRANT IN A TIMELY AND EFFICIENT MANNER. THOSE YOUTHS THAT APPEARED FOR SCHEDULED INTERVIEWS AND TESTS RECEIVED FULL CLINICAL EVALUATION, AND RECORDS AND BUDGET DOCUMENTS WERE IN ORDER. FUTURE STUDIES SHOULD ADDRESS ORGANIZATIONAL PROCEDURES; FOR EXAMPLE, IT WAS NOT CLEAR WHY ALL YOUTHS REFERRED RECEIVE A DESIGNATION OF MENTAL DISORDER, MENTAL RETARDATION, OR BOTH. ANOTHER AREA OF CONFUSION IS WHY THE EVALUATION PRECEDES THE HEARING. FOOTNOTES AND TABULAR INFORMATION ARE INCLUDED.

Sponsoring Agencies: US DEPARTMENT OF JUSTICE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION, 633 INDIANA AVENUE, NW, WASHINGTON DC 20531; LOUISIANA COMMISSION ON LAW ENFORCEMENT AND ADMINISTRATION OF CRIMINAL JUSTICE, 1885 WOODDALE BOULEVARD, ROOM 615, BATON ROUGE, LA 70806.

Availability: NCJRS MICROFICHE PROGRAM.

44. **A. TALENT and R. E. KELDGORD. MENTALLY RETARDED PROBATIONER.** ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS, SUPREME COURT BUILDING, WASHINGTON DC 20544. *FEDERAL PROBATION*, V 39, N 3 (SEPTEMBER 1975), P 39-42. **NCJ-31037**

A DESCRIPTION OF THE DEVELOPMENT, OPERATIONS, AND PRELIMINARY RESULTS OF A PIMA COUNTY (AZ) PROGRAM DESIGNED TO IDENTIFY MENTALLY RETARDED PROBATIONERS AND TO DEVELOP AND PROVIDE SPECIALIZED SERVICES FOR THEM. IT IS NOTED THAT SIGNIFICANT DIFFERENCES BETWEEN MENTALLY RETARDED OFFENDERS AND GENERAL OFFENDERS EXIST, AND THAT REHABILITATION EFFORTS FOR THE MENTALLY RETARDED WILL FAIL IF THESE DIFFERENCES ARE NOT RECOGNIZED. THE PIMA COUNTY PILOT PROJECT WAS FOUNDED IN ORDER TO DEAL WITH THE SPECIAL PROBLEMS OF THE MENTALLY RETARDED PROBATIONER. THE PROJECT EXPERIMENTED WITH SEVERAL METHODS OF SCREENING PROBATIONERS FOR MENTAL RETARDATION BEFORE FINDING A TECHNIQUE WHICH WAS BOTH EFFECTIVE AND PRACTICAL. UNDER THIS METHOD, ALL PROBATIONERS ARE ADMINISTERED A SIMPLE TEST WHICH CAN INDICATE THE POSSIBILITY OF MENTAL RETARDATION. PERSONS WHOSE TESTS INDICATE THIS POSSIBILITY ARE THEN REFERRED TO THE COURT CLINIC FOR FURTHER TESTS. A SPECIALIZED REHABILITATION PROGRAM WAS ALSO DEVELOPED FOR THESE PROBATIONERS. THE PROGRAM DISCOVERED THAT MENTALLY RETARDED PROBATIONERS OFTEN CANNOT UNDERSTAND PROBATION CONDITIONS, WHICH CAN CAUSE THEM TO VIOLATE THOSE CONDITIONS. THIS PROGRAM UTILIZES INTENSIVE COUNSELING, ENVIRONMENTAL MANIPULATION, AND ESTABLISHMENT OF SUPPORTIVE RELATIONSHIPS TO AID THE PROBATIONERS. PRELIMINARY RESULTS OF THE PROJECT ARE BRIEFLY REVIEWED AND ASSETS AND LIABILITIES OF THE PROJECT ARE DISCUSSED.

45. **TEXAS DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION, BOX 12668, CAPITOL STATION, AUSTIN TX 78711. PROJECT CAMIO (CORRECTIONAL ADMINISTRATION AND THE MENTALLY INCOMPETENT OFFENDER), V 8—A NATIONAL SURVEY OF THE DIAGNOSIS AND TREATMENT OF MENTALLY RETARDED OFFENDERS IN CORRECTIONAL INSTITUTIONS.** 95 p. 1973. **NCJ-12534**

SURVEY OF STATE ADULT CORRECTIONAL INSTITUTIONS TO DETERMINE PROCEDURES USED IN THE DIAGNOSIS AND TREATMENT OF MENTALLY RETARDED OFFENDERS. FOLLOWING AN INTRODUCTION WHICH CONTAINS A DISCUSSION OF RESEARCH METHODOLOGY, PROCEDURES, AND LIMITATIONS, THE AUTHOR COMMENTS ON THE MENTALLY RETARDED OFFENDER AND THE RIGHT TO TREATMENT. CONSIDERABLE ATTENTION IS GIVEN TO THE SURVEY FINDINGS WITH DISCUSSION OF THE USE OF INTELLIGENCE TESTS, TEST ADMINISTRATION, PRIORITY OF TEST RESULTS, THE IMPACT OF TESTING ON CLASSIFICATION, AND TREATMENT PROGRAMS FOR THE MENTALLY RETARDED OFFENDERS. THE AUTHOR CONCLUDES THAT THE MENTALLY RETARDED OFFENDER IS NOW RECOGNIZED AS A SIGNIFICANT AND IMPORTANT ELEMENT OF THE PRISON POPULATION THAT MUST BE IDENTIFIED AND GIVEN TREATMENT COMMENSURATE WITH HIS MENTAL CAPACITY AND INDIVIDUAL NEEDS. HE STATES THAT PLANNED INNOVATION CAN REDUCE THE PROBABILITY OF THE NEED FOR ADAPTIVE INNOVATION AS A RESULT OF A FORCED JUDICIAL RESOLUTION OF THE QUESTION OF THE INMATES' RIGHT TO TREATMENT. A BIBLIOGRAPHY OF BOOKS, ARTICLES, COURT CASES, AND STATE STATUTES IS INCLUDED, AND THE APPENDIXES CONTAIN SAMPLE QUESTIONNAIRE FORMS USED, CLINICAL SUBCATEGORIES OF MENTAL RETARDATION, AND STATISTICAL BREAKDOWN OF STATE CORRECTIONAL SYSTEM PRISON POPULATIONS.

Sponsoring Agency: US DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, 330 INDEPENDENCE AVENUE, SW, WASHINGTON DC 20201.

46. **W. WOLFENSBERGER and L. GLENN. PASS (PROGRAM ANALYSIS OF SERVICE SYSTEMS) 3—A METHOD FOR THE QUANTITATIVE EVALUATION OF HUMAN SERVICES HANDBOOK—THIRD EDITION, 1975.** NATIONAL INSTITUTE ON MENTAL RETARDATION, YORK UNIVERSITY CAMPUS, 4700 KEELE STREET, DOWNSVIEW, TORONTO, ONTARIO, CANADA M3J 1P3. 96 p. 1975. Canada. **NCJ-65430**

THIS HANDBOOK FOR PASS (PROGRAM ANALYSIS OF SERVICE SYSTEMS), AND ITS COMPANION INSTRUMENT FUNDET (FUNDING DETERMINATION), ARE DEVICES FOR APPLYING UNIVERSAL HUMAN SERVICE PRINCIPLES IN QUANTIFYING HUMAN SERVICES QUALITY. EXAMPLES OF SERVICES WHICH MIGHT BE EVALUATED INCLUDE CHILD DEVELOPMENT AND SPECIAL EDUCATION PROGRAMS, TREATMENT AND TRAINING CENTERS, SPECIAL CAMPS, SHELTERED WORKSHOPS, CLINICS, HOSPITALS, PRISONS, AND REFORMATORIES. SUCH SERVICES MAY BE ADDRESSED TO SUCH HUMAN PROBLEMS AS DEVIANCY, PHYSICAL AND SENSORY DISABILITY, MENTAL DISORDER AND RETARDATION, SOCIAL INCAPACITY, DELINQUENCY, OR HABITUATION TO DRUGS. IN ASSESSING A SERVICE, A TEAM OF NO LESS THAN THREE QUALIFIED 'RATERS' (PERSONS WITH PRIOR HUMAN SERVICE SOPHISTICATION AND WITH SPECIAL TRAINING IN THE PASS TECHNIQUE) IS EXPECTED TO FAMILIARIZE ITSELF THOROUGHLY WITH ALL ASPECTS OF THE SERVICE, USING WRITTEN DESCRIPTIONS OF THE PROJECT, INTERVIEWS, AND SITE VISITS. THE GUIDELINES AND CRITERIA FOR RATING PROGRAMS ARE INTRODUCED IN THIS OVERVIEW OF THE PASS SYSTEM. FIRST, THE PURPOSES AND STRUCTURE OF PASS ARE DESCRIBED AND PASS'S ADAPTABILITY TO VARIED SITUATIONS IS OUTLINED. THE SCORING SYSTEM, DESIRABLE RATER CHARACTERISTICS, FUNDET CONSIDERATIONS, AND POLITICAL USES AND MISUSES OF PASS ARE

EXPLAINED. THE PASS SYSTEM IS CRITICIZED, AND RESEARCH TO DATE REGARDING THE USE OF PASS IS REPORTED. SECOND, THE COMPOSITION OF AN ASSESSMENT TEAM, THE PLANNING AND CONDUCTING ASPECTS OF PASS, AND SCORING PROBLEMS ARE ADDRESSED. FINALLY, PASS REPORTS AND FEEDBACK ARE DISCUSSED, WITH ATTENTION TO PASS REPORT WRITING AND SAMPLES OF MODEL REPORT MODULES. IN ADDITION, INFORMATION IS SUPPLIED ON HOW TO TRAIN RATERS AND TRAINERS IN THE PASS SYSTEM. APPENDIXES PROVIDE RECAPITULATION OF SOME OF PASS'S BASIC GUIDELINES FOR RATERS, A SAMPLE MODULAR LETTER, AN AUTHORIZATION FORM FOR CARRYING OUT A PASS ASSESSMENT, PRACTICUM SETTINGS FOR WORKSHOPS, A SCHEDULE OF A TYPICAL 5-DAY INTRODUCTORY PASS TRAINING WORKSHOP, GUIDELINES ON HOW TO GET THE MOST OUT OF A STUDY TOUR OF A HUMAN SERVICE SETTING, AND SPECIAL ADVICE FOR A PASS TEAM LEADER. FOR THE PASS FIELD MANUAL, SEE NCJ-65431.

Supplemental Notes: SPONSORED BY THE CANADIAN ASSOCIATION FOR THE MENTALLY RETARDED.

Availability: CANADIAN ASSOCIATION FOR THE MENTALLY RETARDED PUBLICATIONS DEPARTMENT, YORK UNIVERSITY CAMPUS, KINSMEN NIMR BLDG, 4700 KEELE ST, DOWNSVIEW, TORONTO, ONT, CANADA M3J 1P3.

LINK BETWEEN DISABILITY AND CRIME

47. **A. J. ARIEFF. EPILEPSY—RELATION TO AGGRESSION, VIOLENCE, RAGE AND CRIMINALITY.** CALLAGHAN AND COMPANY, 165 NORTH ARCHER AVENUE, MUNDELEIN IL 60060. *MEDICAL TRIAL TECHNIQUE QUARTERLY,* V 21, N 1 (SUMMER 1974), P 15-26. **NCJ-57049**

THE RESEARCH LITERATURE PERTAINING TO THE RELATIONSHIP OF EPILEPSY TO BEHAVIORAL DISORDERS IS REVIEWED. EPILEPSY HAS BEEN CITED AS THE CAUSE OF MANY CONDITIONS--MENTAL ILLNESS, PERSONALITY DISTURBANCE, VIOLENCE, RAPE, CRIMINALITY. ACTUALLY EPILEPTIC SEIZURES MAY HAVE LITTLE TO DO WITH THESE DISORDERS, EXCEPT PERHAPS AS ANOTHER SYMPTOM OF AN UNDERLYING DISORDER. ALTHOUGH IT CANNOT BE CONCLUDED FROM AVAILABLE EVIDENCE THAT EPILEPSY IS RELATED TO CRIMINAL BEHAVIOR, THERE HAVE BEEN MANY INSTANCES IN WHICH CRIMES MAY HAVE BEEN THE RESULT OF OR ASSOCIATED WITH EPILEPTIC SEIZURES OR THEIR SEQUELAE. AN EARLY (1875) STUDY OF TEMPORARY MENTAL DISORDERS AFTER EPILEPTIC SEIZURES CONCLUDED THAT EPILEPSY OFTEN IS ASSOCIATED WITH INSANITY AND NOTED THAT BEHAVIORAL ABERRATIONS FOLLOWING SEIZURES ARE CHARACTERIZED BY MENTAL AUTOMATISM. A LATER (1893) STUDY MENTIONED 'EPILEPTIC MANIA'--A SEQUELA WHICH MAY TAKE THE PLACE OF A PHYSICAL CONVULSION AND WHICH MAY BE VIOLENT OR EVEN HOMICIDAL. MORE RECENT RESEARCH HAS NOTED THE PRESENCE DURING AND AFTER SEIZURES OF PSYCHOTIC STATES THAT OFTEN ARE EXTREMELY VIOLENT. IN 1961, AN ILLUSTRATIVE CASE OF PSYCHOMOTOR EPILEPSY IN WHICH HOMICIDE WAS COMMITTED DURING A PERIOD OF UNAWARENESS WAS DESCRIBED. THIS STUDY SUMMARIZED CRITERIA FOR DECIDING WHETHER A CRIME IS ATTRIBUTABLE TO AN EPILEPTIC CONDITION. SUBSEQUENT RESEARCHERS HAVE USED A VARIETY OF TECHNIQUES TO EXPLORE EPILEPTIC SEIZURES AND BEHAVIOR DISORDERS IN OFFENDERS, MENTAL DEFECTIVES, DELINQUENTS, AND OTHER POPULATIONS. IT APPEARS THAT CRIMES CAUSED BY EPILEPSY ARE RARE. TO CORRELATE AN EPILEPTIC DISORDER WITH ANY CRIME REQUIRES AN INTENSIVE CLINICAL STUDY THAT SHOULD INCLUDE NEUROLOGICAL, PSYCHIATRIC, PSYCHOLOGICAL, ELECTROENCEPHALOGRAPHIC, AND NEUROSURGICAL DIAGNOSTIC TESTS. LONG-TERM THERAPY AND SUPERVISION MAY BE REQUIRED FOR INDIVIDUALS IN WHOM VIOLENCE AND EPILEPSY ARE ASSOCIATED. NO LIST OF REFERENCES IS PROVIDED. (AUTHOR ABSTRACT MODIFIED)

48. **A. ASAKA. FREQUENCIES OF INDIVIDUALS WITH EXCESS SEX-CHROMOSOMES AMONG MENTALLY RETARDED, MENTALLY ILL, DELINQUENT, AND CRIMINAL POPULATIONS.** JAPANESE ASSOCIATION OF CRIMINOLOGY, TOKYO MEDICAL AND DENTAL UNIV, 1-CHOME, YUSHIMA, BUNKYO-KU, TOKYO 113, JAPAN. *ACTA CRIMINOLOGIAE ET MEDICINAE LEGALIS JAPONICA,* V 42, N 3 (JUNE 1976), P 77-96. **NCJ-38012**

REVIEW OF STUDIES CARRIED OUT IN JAPAN AND COMPARISON OF THE RESULTS WITH STUDIES PERFORMED IN OTHER COUNTRIES. THE REVIEW FOUND THAT THE FREQUENCIES OF X-CHROMATIN POSITIVE MALES AND X-CHROMATIN EXCESS FEMALES FOR MENTALLY RETARDED, MENTALLY-ILL, AND OFFENDER POPULATIONS ARE NOT SIGNIFICANTLY DIFFERENT IN JAPAN THAN IN OTHER COUNTRIES. STUDIES IN ALL COUNTRIES SHOWED HIGHER FREQUENCY OF X-CHROMATIN POSITIVE MALES IN MILDLY RETARDED THAN IN SEVERELY RETARDED POPULATIONS. INDIVIDUALS WITH ABNORMAL X-CHROMATIN AMONG JUVENILE DELINQUENTS AND CRIMINALS SEEM TO BELONG TO THE LOWER INTELLIGENCE LEVELS, WHICH SUGGESTS THAT IMPAIRED INTELLIGENCE INTERVENES BETWEEN SEX CHROMOSOME ANOMALIES AND CRIMINAL BEHAVIOR.

49. **J. BECKMANN, A. DUPONT, I. ERLING, P. JACOBSEN, M. MIKKELSEN, and A. THEILGAARD. REPORT OF SEX CHROMOSOME ABNORMALITIES IN MENTALLY RETARDED MALE OFFENDERS INCLUDING A PSYCHOLOGICAL STUDY OF PATIENTS WITH XYY AND XXYY KARYOTYPES.** NATIONAL SOCIETY FOR MENTALLY HANDICAPPED CHILDREN, PEMBRIDGE HALL, 17 PEMBRIDGE SQUARE, LONDON W2 4EP, ENGLAND. *JOURNAL OF MENTAL DEFICIENCY RESEARCH,* V 18, N 4 (DECEMBER 1974), P 331-341. **NCJ-56389**

CHROMOSOME ABNORMALITIES AMONG MENTALLY RETARDED DANISH MALE OFFENDERS ARE EXAMINED, AND THE CHARACTERISTICS OF CHROMOSOMALLY ABNORMAL OFFENDERS ARE ANALYZED. OF 99 MENTALLY RETARDED MALE OFFENDERS IN 3 INSTITUTIONS, 7 HAD ABNORMAL CHROMOSOME CONFIGURATIONS--47,XYY IN 6 CASES, 47,XXY IN 1, AND 48,XXYY IN 1. THE PREVALENCE OF XYY INDIVIDUALS (6.5 PERCENT) IS 50 TIMES THAT OF THE GENERAL POPULATION. THE PERSONALITIES OF THE CHROMOSOMALLY ABNORMAL PATIENTS WERE ANALYZED THROUGH OBSERVATION AND PSYCHOLOGICAL TESTING. THEIR CRIMINAL RECORDS, IQ'S (INTELLIGENCE QUOTIENTS), AND HEIGHT WERE COMPARED WITH THOSE OF THE 91 MENTALLY RETARDED OFFENDERS WITH NORMAL CHROMOSOME PATTERNS. THE CHROMOSOMALLY ABNORMAL OFFENDERS

HAD HIGHER IQ'S (63-66) THAN OTHER RETARDED OFFENDERS, SCORED BETTER ON TESTS OF PERCEPTUAL ORGANIZATION THAN ON TESTS OF VERBAL COMPREHENSION AND ATTENTION, HAD VERY SHORT ATTENTION SPANS, AND WERE UNUSUALLY TALL. IN ADDITION, THEIR PERSONALITY TESTS INDICATED THAT THEY WERE IMPULSIVE, IMMATURE, INCLINED TO USE PRIMITIVE AND INEFFECTIVE DEFENSE MECHANISMS, AND EASILY FRUSTRATED. THE STUDY ALSO INCLUDED A CHROMOSOME ANALYSIS OF 30 MENTALLY RETARDED SCHOOL BOYS WHO HAD BEEN INVOLVED IN PETTY LARCENY AND HAD DEMONSTRATED AGGRESSIVENESS. ONE BOY WITH A 47,XXY CONFIGURATION WAS FOUND. SUPPORTING DATA AND A LIST OF REFERENCES ARE INCLUDED.

50. **W. H. BOON, C. T. SENG, and N. SINGH. SEX CHROMOSOME ABNORMALITIES AND CRIME.** FAR EAST TRADE PRESS LTD, 1913 HANGLUNG CENTRE, HONG KONG. *MODERN MEDICINE OF ASIA*, V 14, N 11 (NOVEMBER 1978) P 11-15. **NCJ-56895**

A SEX CHROMOSOME SCREENING OF 1,506 MALE INMATES AT A MAXIMUM SECURITY PRISON IN SINGAPORE IS REPORTED, AND THE LINK BETWEEN CRIMINALITY AND CHROMOSOME ABNORMALITIES IS QUESTIONED. A SCREENING OF NEWBORN MALES IN SINGAPORE FOUND THE INCIDENCE OF THE 47,XXY CHROMOSOME ABNORMALITY IN THE GENERAL POPULATION TO BE ABOUT 1 IN 3,000 AND THAT OF THE 47,XYY ABNORMALITY TO BE ABOUT THE SAME OR LESS. THE SCREENING OF INMATES AT CHANGI PRISON FOUND ONE XXY MALE AND ONE XYY MALE, AN INCIDENCE NOT SIGNIFICANTLY GREATER THAN THAT IN THE GENERAL POPULATION. BOTH CHROMOSOMALLY ABNORMAL INMATES WERE OF LOW INTELLIGENCE AND FROM SOCIOECONOMICALLY DEPRIVED BACKGROUNDS. SEVEN OTHER CASES OF XYY CONFIGURATION AND SIXTY-TWO CASES OF XXY CONFIGURATION WERE BROUGHT TO THE ATTENTION OF THE GENETICS LABORATORY THAT PERFORMED THE SCREENING EITHER FOR MENTAL RETARDATION OR INFERTILITY, NOT BECAUSE THE SUBJECTS HAD COMMITTED CRIMES. IT SEEMS THAT THE INCREASED INCIDENCE OF XXY AND XYY ABNORMALITIES FOUND IN WESTERN STUDIES OF PRISONERS IS DUE TO SELECTION BIAS: THESE STUDIES GENERALLY HAVE BEEN PERFORMED WITH INMATES OF PRISON PSYCHIATRIC FACILITIES RATHER THAN WITH INMATES IN THE GENERAL PRISON POPULATION. A DANISH STUDY OF OVER 4,000 MALES SUPPORTS THE VIEW THAT CHROMOSOMALLY NORMAL AND ABNORMAL MALES ARE EQUALLY LIKELY TO COMMIT CRIMES IF THEY ARE MENTALLY RETARDED AND SOCIOECONOMICALLY DISADVANTAGED. A LIST OF REFERENCES IS INCLUDED.

51. **B. S. BROWN and T. F. COURTLESS. FANTASY AND FORCE—A STUDY OF THE DYNAMICS OF THE MENTALLY RETARDED OFFENDER.** WILLIAMS AND WILKINS COMPANY, 428 EAST PRESTON STREET, BALTIMORE MD 21202. *JOURNAL OF CRIMINAL LAW, CRIMINOLOGY AND POLICE SCIENCE*, V 61, N 1 (MARCH 1970), P 71-77. **NCJ-05311**

COMPARISON OF AGGRESSIVENESS SCORES OF MENTALLY RETARDED AND NON-RETARDED INMATES. RETARDED INMATES IMPRISONED FOR SERIOUS CRIMES SHOWED LESS AGGRESSIVENESS THAN EXPECTED. MANY ARE IMPRISONED BECAUSE THEY WERE NOT IDENTIFIED AS RETARDED AT THE TRIAL STAGE AND BECAUSE ALTERNATIVES TO INCARCERATION WERE LIMITED. RETARDED INMATES ARE GIVEN NO MEANINGFUL TREATMENT AND TRAINING IN PRISON.

52. **R. F. DALY. MENTAL ILLNESS AND PATTERNS OF BEHAVIOR IN 10 XYY MALES.** WILLIAMS AND WILKINS COMPANY, 428 EAST PRESTON STREET, BALTIMORE MD 21202. *JOURNAL OF NERVOUS AND MENTAL DISEASE*, V 149, N 4 (OCTOBER 1969), P 318-327. **NCJ-57142**

AMONG MEN 6 FEET OR TALLER CONFINED TO MAXIMUM SECURITY HOSPITALS, 10 XYY MALES WERE IDENTIFIED BY CHROMOSOME ANALYSIS OF CULTURED LYMPHOCYTES. SUMMARIES ARE PROVIDED OF THEIR CASE HISTORIES OBTAINED FROM HOSPITAL RECORDS. THE PATIENTS WERE CONFINED TO HOSPITALS IN WISCONSIN, MICHIGAN, INDIANA, AND OHIO AND INCLUDED THOSE WHO WERE ACCUSED OF CRIME BUT CONSIDERED INCOMPETENT TO STAND TRIAL; OTHERS, WHOSE VIOLENT OR OTHERWISE ANTISOCIAL BEHAVIOR MADE THEM DIFFICULT MANAGEMENT PROBLEMS, WERE REFERRED FROM PENAL INSTITUTIONS AND HOSPITALS FOR THE MENTALLY RETARDED. THREE OF THE XYY PATIENTS WERE DIAGNOSED AS MENTALLY RETARDED, THREE AS SOCIOPATHIC, AND THREE AS SCHIZOPHRENIC. THE REMAINING PATIENT WAS DIFFICULT TO CLASSIFY BECAUSE OF SUGGESTIVE EVIDENCE OF PROGRESSIVE ORGANIC DISEASE OF THE CENTRAL NERVOUS SYSTEM. THE INCIDENCE OF HOMOSEXUALITY IN THESE PATIENTS WAS SIGNIFICANTLY HIGHER THAN IN CONTROLS FROM THE SAME POPULATION. NO PARTICULAR PROCLIVITY FOR OTHER TYPES OF CRIME WAS FOUND IN THE XYY PATIENTS. FIVE CAME FROM ENVIRONMENTS CONSIDERED DETRIMENTAL TO THE NORMAL DEVELOPMENT OF PERSONALITY AND CHARACTER. THE MEAN AGE AT FIRST ARREST IS LOWER FOR THE XYY'S THAN FOR THE CONTROLS, ALTHOUGH THE DIFFERENCE IS NOT SIGNIFICANT. IN SEVERAL RESPECTS, THESE FINDINGS DIFFER FROM OTHER STUDIES OF XYY MALES. FURTHER RESEARCH IS NECESSARY TO DETERMINE MORE PRECISELY WHAT ILL EFFECTS AN EXTRA Y CHROMOSOME MAY HAVE. REFERENCES ARE INCLUDED. (AUTHOR ABSTRACT MODIFIED)

53. **T. C. N. GIBBENS. DELINQUENT AND HIS BRAIN.** ROYAL SOCIETY OF MEDICINE, 2 QUEEN ANNE STREET, LONDON W1M OBR, ENGLAND. *PROCEEDINGS OF THE ROYAL SOCIETY OF MEDICINE*, V 62, N 1 (JANUARY 1969), P 57-59. **NCJ-56893**

POSSIBLE LINKS BETWEEN VARIOUS NEUROLOGICAL DISORDERS AND HANDICAPS AND THE DEVELOPMENT OF DEVIANT OR AGGRESSIVE BEHAVIOR ARE DISCUSSED, AND THE IMPACT OF SUCH DIAGNOSIS ON THE ADJUDICATORY PROCESS IS NOTED. THE CONSTANT PROMISE OFFERED BY THE STUDY OF THE NEUROLOGICAL ASPECTS OF DELINQUENCY IS RARELY FULFILLED. THE PROBLEM IS ESPECIALLY DIFFICULT SINCE NEARLY ALL EVIDENCE SUGGESTS THAT DELINQUENCY IS A RESPONSE TO A MIXTURE OF PHYSICAL, PSYCHOLOGICAL, AND SOCIAL HANDICAPS. BACKWARDNESS AT SCHOOL AND THE PRESSURES OF A LARGE FAMILY SEEM AS RELATED TO BEHAVIOR PROBLEMS AS EPILEPSY, ENCEPHALITIS, AND EVEN PRENATAL PROBLEMS. HOWEVER, WHILE A SMALL PROPORTION (5 TO 10 PERCENT) MAY BE CRIPPLED IN EARLY YEARS BY BIOPSYCHOSOCIAL PRESSURES, FOR THE REST OF THE HANDICAPPED CHILDREN--BOTH DELINQUENT AND NONDELINQUENT--THE MAIN EFFECT MAY BE TO MERELY DELAY RATHER THAN PREVENT THE ORDINARY SOCIAL LEARNING PROCESS. IN THE CASE OF ADULT OFFENDERS, WHERE THERE MAY BE A DEMONSTRABLE DETERIORATION FROM A NORMAL STANDARD OF PREVIOUS PERSONALITY AND SOCIAL ADJUSTMENT AS A RESULT OF DISEASE OR INJURY TO THE BRAIN, IT MIGHT BE EXPECTED THAT THESE EFFECTS ARE LESS COMMON, BUT MORE OBVIOUS AND DRAMATIC. THE MOST IMPORTANT POSSIBILITIES ARE THAT ABNORMALITIES OF THE BRAIN MAY PRODUCE SEX CRIMES, AGGRESSIVE CRIMES, AND FROM A MEDICOLEGAL VIEW, CRIMES ASSOCIATED WITH DISTURBANCES OF CONSCIOUSNESS. STUDIES IN ENGLAND, THE U.S., AND ELSEWHERE HAVE INDICATED A CONNECTION BETWEEN SUCH CONDITIONS AS TEMPORAL LOBE TUMORS AND EPILEPSY AND CONDITIONS OF HYPERSEXUALITY. OTHER STUDIES HAVE FOUND A HIGH PROPORTION OF ABNORMAL ELECTROENCEPHALOGRAMS AMONG MURDERERS. FURTHER, CASE ANALYSES HAVE FOUND THAT CONFIRMED BRAIN ABNORMALITIES MAY INTERRUPT

CONSCIOUSNESS TO SUCH A DEGREE THAT AN OFFENDER MAY NOT BE RESPONSIBLE FOR HIS OR HER ACTIONS. IN LIGHT OF THE COMMON LAW DOCTRINE OF MENS REA (I.E., A GUILTY MIND), SUCH A MEDICOLEGAL CONSIDERATION MAY HAVE AN IMPACT ON THE RULING OF JUDGE AND JURY. REFERENCES ARE PROVIDED.

54. **J. M. GIOVANNONI, J. CONKLIN, and P. LLYAMA. CHILD ABUSE AND NEGLECT—AN EXAMINATION FROM THE PERSPECTIVE OF CHILD DEVELOPMENT KNOWLEDGE.** R AND E RESEARCH ASSOCIATES, INC, 936 INDUSTRIAL AVENUE, PALO ALTO CA 94303. 109 p. 1978. **NCJ-52450**

THE RELATIONSHIP BETWEEN CHILD ABUSE AND NEGLECT AND FACTORS INFLUENCING CHILDREN'S MENTAL, PHYSICAL, AND SOCIAL-EMOTIONAL DEVELOPMENT ARE EXAMINED WITH A FOCUS ON LESS OVERT FORMS OF ABUSE OR NEGLECT. THE OPENING CHAPTER OF THIS BOOK DEALS WITH NONUNIFORM DEFINITIONS OF CHILD ABUSE SPANNING SEVERAL DISCIPLINES, INCLUDING LAW, MEDICINE, AND SOCIAL WORK. FIRST, DIFFERENCES IN CHILD TEMPERAMENT, MOTHER-CHILD INTERACTION, AND CHILD PERCEPTION OF PARENTAL TREATMENT AND OF HARM ARE DISCUSSED. THEN FACTORS AFFECTING PHYSICAL GROWTH DEVELOPMENT ARE EXAMINED. LOW BIRTH WEIGHT, SLOW EARLY GROWTH, AND CHILDHOOD AND ADOLESCENT OBESITY ARE PROBLEMS THAT CAN RESULT FROM FAULTY MATERNAL NUTRITION DURING PREGNANCY, FAILURE TO TEACH CHILDREN GOOD EATING HABITS, PROVISION OF NONNUTRITIVE FOOD, AND EXTERNAL FACTORS SUCH AS DOMESTIC STRESS. IN TURN, LOW BIRTH WEIGHT, UNDERNUTRITION, OTHER VARIABLES OF EARLY TRAUMA, MATERNAL BEHAVIOR, PATERNAL ABSENCE, AND INSTITUTIONALIZATION ARE IDENTIFIED AS FACTORS WHICH CAN PRODUCE SUBNORMAL MENTAL DEVELOPMENT IN CHILDREN. PARENTAL BEHAVIOR, THE MOTHER'S, IS DISCUSSED IN RELATION TO EARLY INFANT FUNCTIONING, CHILD BEHAVIOR, AND BEHAVIOR DISORDERS. EXTERNAL FACTORS, SUCH AS THE SIZE AND SOCIOECONOMIC STATUS OF THE FAMILY, ARE ALSO RELATED TO THE SOCIAL AND EMOTIONAL DEVELOPMENT OF CHILDREN. IT IS STRESSED THAT THE DEFINITION OF CHILD ABUSE WILL VARY WITHIN CULTURES, AND THAT RECOGNIZABLE ENTITIES THAT CAN BE DEFINED AS CHILD ABUSE DO NOT EXIST. THE APPENDIX CONTAINS A SCHEMATIC REPRESENTATION OF SOME VARIABLES AFFECTING MEDIATING EFFECTS OF MALNUTRITION ON COGNITIVE DEVELOPMENT. REFERENCES CONCLUDE EACH CHAPTER. WORKSHEETS ILLUSTRATE THE STRATEGY EMPLOYED TO SEARCH TWO BIBLIOGRAPHIC COMPUTERIZED DATA BASES, MEDLINE AND THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC). AN INDEX AND A LIST OF CONSULTANTS ARE PROVIDED.

Sponsoring Agency: US DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE SOCIAL & REHABILITATION SERVICE OFFICE OF RESEARCH AND DEMONSTRATION, WASHINGTON, DC 20201.

Availability: R AND E RESEARCH ASSOCIATES, INC, 936 INDUSTRIAL AVENUE, PALO ALTO CA 94303.

55. **H. GOEPPINGER and W. BOEKER. ON DELINQUENCY OF THE MENTALLY ILL (FROM TODAY'S PROBLEMS IN CLINICAL CRIMINOLOGY—RESEARCH ON DIAGNOSIS AND TREATMENT, 1979, BY L BELIVEAU ET AL—SEE NCJ-65021).** INTERNATIONAL CENTRE FOR COMPARATIVE CRIMINOLOGY UNIVERSITY OF MONTREAL, SOCIAL SCIENCES BUILDING, P O BOX 6128, MONTREAL H3C 3J7 QUEBEC, CANADA; UNIVERSITE DE GENES CENTRE INTERNATIONAL DE CRIMINOLOGIE CLINIQUE, GENES, ITALY; INSTITUT PHILIPPE PINEL DE MONTREAL, 12, 333 BOULEVARD, MONTREAL, QUEBEC 478, CANADA. 31 p. 1979. Canada. **NCJ-65026**

A SUMMARY OF 11 STUDIES OF ILLEGAL ACTS COMMITTED BY MENTALLY ILL PERSONS IN THE FEDERAL REPUBLIC OF GERMANY AND A REVIEW OF AN ADDITIONAL STUDY ARE

PRESENTED TO CLARIFY RELATIONSHIPS BETWEEN DISORDER TYPES AND CRIME. THE DISCUSSION IS PRECEDED BY A PRESENTATION OF RESEARCH PROBLEMS COMMON TO SUCH STUDIES; E.G., PROBLEMS OF SAMPLING, INCLUDING THE WELL-KNOWN PROBLEMS OF CONTROL GROUPS; PROBLEMS OF COMMENSURABILITY BETWEEN SAMPLE UNITS; AND PROBLEMS REGARDING INCOMPLETENESS OF PSYCHOSES, (E.G., THEIR DARK FIGURE). RESULTS OF THE 11 STUDIES REVEAL THESE FINDINGS: (1) HOMICIDE IS RELATIVELY FREQUENT WITHIN THE TOTAL DELINQUENCY OF SCHIZOPHRENIC CRIMINALS, AND IT PLAYS AN ABSOLUTELY DOMINANT ROLE AMONG THE CRIMES COMMITTED BY WOMEN WHO SUFFER FROM ENDOGENOUS DEPRESSIONS; (2) SEXUAL OFFENSES ACCOUNT FOR ABOUT 50 PERCENT OF THE TOTAL DELINQUENCY OF THE MENTALLY DEFICIENT BUT ALSO PLAY AN IMPORTANT PART IN THE DELINQUENCY OF SCHIZOPHRENICS; (3) PROPERTY OFFENSES REPRESENT THE MAJOR DELINQUENCY COMMITTED BY EPILEPTICS AND ARE QUITE FREQUENT OFFENSES AMONG THE MENTALLY DEFICIENT; AND (4) ARSON IS COMMITTED BY PERSONS WITH EPILEPSY, MENTAL DEFICIENCY, AND SCHIZOPHRENIA, BUT NOT BY THOSE SUFFERING FROM DEPRESSION. THE SEPARATE DESCRIPTIVE EPIDEMIOLOGICAL STUDY SOUGHT TO CLARIFY THE RELATIONSHIP BETWEEN THE CRIMINALITY OF THE MENTALLY ILL AND CORRESPONDENT CRIMINALITY OF THE MENTALLY SANE. ONLY CASES WITH SEVERE MENTAL DISTURBANCE WERE INCLUDED: FUNCTIONAL AND ORGANIC PSYCHOSES, ALL FORMS OF DEMENTIA, SEVERE MENTAL RETARDATION, AND SEVERE ORGANIC BRAIN SYNDROME. THE TIME COVERED WAS JANUARY 1, 1955, THROUGH DECEMBER 31, 1964. A TOTAL OF 533 CASES WERE DETECTED AND EXAMINED. STUDY RESULTS SHOW THAT SCHIZOPHRENIC OFFENDERS ARE MAINLY MIDDLE-AGED MALES WITH A PARTIALLY INTACT SOCIAL ADAPTATION; DEPRESSIVE OFFENDERS ARE ALMOST ALWAYS MARRIED WOMEN WITH SMALL CHILDREN WHO COMMIT SUICIDE AFTER HAVING PASSED THE CULMINATION POINT OF THE DEPRESSIVE EPISODE; AND THE MAJORITY OF THE MENTALLY RETARDED OFFENDERS COME FROM BROKEN HOMES OR AN ANTISOCIAL MILIEU. HOWEVER, THE MOST IMPORTANT CONCLUSION FROM THIS STUDY IS THAT MENTALLY ILL AND MENTALLY RETARDED PERSONS TAKEN TOGETHER COMMIT NEITHER MORE NOR FEWER VIOLENT OFFENSES THAN NORMAL PERSONS. TABLES AND REFERENCES ARE APPENDED.

56. **J. GUNN. EPILEPSY IN PRISONS—A DIAGNOSTIC SURVEY.** BRITISH MEDICAL ASSOCIATION, BMA HOUSE, TAVISTOCK SQUARE, LONDON WC1 H9JR, ENGLAND. *BRITISH MEDICAL JOURNAL*. V 4 (NOVEMBER 8, 1969), P 326-328. **NCJ-58731**

THE INCIDENCE OF EPILEPSY AMONG BRITISH INMATES OF BORSTALS AND PRISONS IS ASSESSED, AND POSSIBLE LINKS BETWEEN EPILEPSY AND ANTISOCIAL BEHAVIOR ARE CONSIDERED. IT WAS THOUGHT THAT AN EARLIER SURVEY, WHICH FOUND THAT EPILEPSY WAS MORE COMMON IN PRISONS THAN IN THE GENERAL POPULATION, MAY HAVE OVERDIAGNOSED EPILEPSY AMONG INMATES. THEREFORE, A REPRESENTATIVE SAMPLE OF INMATES DIAGNOSED AS EPILEPTIC IN THAT SURVEY WAS REASSESSED IN LIGHT OF A COMPREHENSIVE, STANDARDIZED DEFINITION OF THE DISORDER. THE SECOND SURVEY FOUND THE INCIDENCE OF EPILEPSY AMONG INMATES TO BE AT LEAST 7.1 PER 1,000 (COMPARED TO 8.7-8.8 PER 1,000 IN THE FIRST SURVEY). THE INCIDENCE IN THE GENERAL POPULATION HAS BEEN ESTIMATED AT 3.74 PER 1,000 IN ICELAND AND 4.45 PER 1,000 IN ENGLAND AND WALES. THE UNUSUALLY HIGH INCIDENCE OF EPILEPSY AMONG INMATES IMPLIES THAT EPILEPTICS ARE MORE LIKELY TO BE IMPRISONED THAN ARE OTHER PEOPLE. IT MAY BE THAT THE PHYSICAL DEFECT UNDERLYING EPILEPSY MAY ALSO CAUSE DISTUR-

BANCES OF PERSONALITY AND BEHAVIOR. IT IS EQUALLY LIKELY THAT ANTISOCIAL BEHAVIOR BY EPILEPTICS IS A REACTION TO THE ISOLATION AND REJECTION THEY EXPERIENCE. ANOTHER POSSIBILITY IS THAT CHILDREN WHO ARE BROUGHT UP IN DEPRIVED AND DISTURBED ENVIRONMENTS (AS MANY OF THE EPILEPTIC INMATES WERE) ARE AT GREATER RISK OF ACQUIRING BRAIN DAMAGE AND, SUBSEQUENTLY, EPILEPSY. A FOURTH FACTOR MAY BE THAT PEOPLE WITH DISORGANIZED, IMPULSIVE PERSONALITIES WHO ARE PRONE TO GET INTO TROUBLE WITH THE LAW ARE ALSO MORE LIKELY TO SUSTAIN CEREBRAL INJURY AS A RESULT OF THEIR CARELESS BEHAVIOR. SUPPORTING DATA AND A LIST OF REFERENCES ARE INCLUDED.

57. **H. HAEFNER and W. BOEKER. MENTALLY DISORDERED VIOLENT OFFENDERS.** SPRINGER-VERLAG, 175 FIFTH AVENUE, NEW YORK NY 10010. *SOCIAL PSYCHIATRY*, V 8, N 4 (NOVEMBER 1973), P 220-229. **NCJ-57140**

A DESCRIPTIVE EPIDEMIOLOGICAL STUDY IS CONDUCTED TO DETERMINE THE AMOUNT OF VIOLENT CRIME COMMITTED BY MENTALLY ILL OFFENDERS AS OPPOSED TO THE AMOUNT OF CRIME COMMITTED BY OFFENDERS WHO ARE NOT MENTALLY ILL. NAMES OF ALL OFFENDERS WHO HAD BEEN CONVICTED OF CRIMES OF VIOLENCE BETWEEN THE YEARS 1955 TO 1964 WERE COLLECTED FROM POLICE FILES IN THE FEDERAL REPUBLIC OF GERMANY, FROM THE FILES OF THE PUBLIC PROSECUTORS, AND FROM THE RECORDS OF THE STATE MENTAL HOSPITALS WHERE MENTALLY ILL OFFENDERS MIGHT HAVE BEEN COMMITTED. THEN DATA ON THE 533 MENTALLY ILL OR RETARDED VIOLENT OFFENDERS AND THEIR CRIMES WERE COMPARED WITH DATA ON THOSE VIOLENT OFFENDERS WHO WERE NOT JUDGED TO BE MENTALLY ILL. A TOTAL NUMBER OF 17,930 VIOLENT OFFENDERS WAS IDENTIFIED FOR THE 10-YEAR PERIOD, WITH THE 533 MENTALLY ILL OFFENDERS ACCOUNTING FOR 3 PERCENT OF THE WHOLE. THIS MEANS THAT, WITHOUT CONSIDERING THE AGE DISTRIBUTION OF OFFENDERS, MENTALLY ILL AND MENTALLY RETARDED PERSONS COMMIT VIOLENT CRIMES IN ABOUT THE SAME PROPORTION AS THE POPULATION AT LARGE. THE RISK OF BECOMING A VIOLENT OFFENDER IS GREATER FOR SCHIZOPHRENICS, APPROXIMATELY 10 TIMES AS HIGH AS THE RISK FOR PERSONS WITH AFFECTIVE PSYCHOSES OR FOR THE MENTALLY RETARDED. BOTH MENTALLY ILL OFFENDERS AND OFFENDERS NOT MENTALLY ILL ARE PREDOMINANTLY MALE AND BETWEEN THE AGES OF 26-34. THE DATA ON THE 533 MENTALLY ILL OFFENDERS WERE ALSO COMPARED WITH THOSE ON A CONTROL GROUP OF NONOFFENDERS TO DETERMINE CHARACTERISTICS OF PERSONS MORE INCLINED TOWARD VIOLENCE. RESULTS SHOW THAT THE MAIN INDICATORS WERE MORE EVIDENCE OF ANTISOCIAL BEHAVIOR, SUICIDAL TENDENCIES, ALCOHOLISM, AND OTHER ADDICTIONS BEFORE THE ONSET OF CRIMINALITY. CONCLUSIONS ARE SUMMARIZED IN FRENCH, GERMAN, AND ENGLISH.

58. **L. F. JAVIK, V. KLODIN, and S. S. MATSUYAMA. HUMAN AGGRESSION AND THE EXTRA Y CHROMOSOME—FACT OR FANTASY?** AMERICAN PSYCHOLOGICAL ASSOCIATION, 1200 17TH STREET, NW, WASHINGTON DC 20036. *AMERICAN PSYCHOLOGIST*, V 28, N 8 (AUGUST 1973), P 674-682. **NCJ-56387**

AN OVERVIEW IS PROVIDED OF ARGUMENTS LINKING AGGRESSION AND AN EXTRA Y CHROMOSOME; THAT IS, THAT A CHROMOSOMAL ABERRATION IN SOME MENTALLY RETARDED MALE CRIMINALS IS RESPONSIBLE FOR THEIR VIOLENT BEHAVIOR CHARACTERISTICS. CHROMOSOMES ARE THIN THREADS OF GENETIC MATERIAL CONTAINING HEREDITARY INSTRUCTIONS FOR THE GROWTH AND REPRODUCTION OF EVERY CELL IN AN ORGANISM. INSTEAD OF THE NORMAL COMPLEMENT OF 46 CHROMOSOMES, THE CELLS OF SOME MENTALLY RETARDED, TALL CRIMINALS WERE FOUND TO CONTAIN 47, THE EXTRA ONE BEING A Y CHROMOSOME. WHEN THE ASSOCIATION OF THE EXTRA Y CHROMOSOME WITH TALL STATURE, MENTAL RETARDATION, AND AGGRESSIVE BEHAVIOR WAS FIRST MADE, IT HAD A PROFOUND EFFECT ON THE SCIENTIFIC COMMUNITY, THE LEGAL AND MEDICAL PROFESSION, AND THE PUBLIC AT LARGE. STUDIES SOON BEGAN TO APPEAR, AND IT WAS LATER DISCOVERED THAT SOME OF SOCIETY'S MOST NOTORIOUS MURDERERS (E.G., ROBERT PETER TAIT, DANIEL HUGON, JOHN FARLEY) HAD THE EXTRA Y CHROMOSOME. OTHER STUDIES, ESPECIALLY THAT OF A MAN INSTITUTIONALIZED SINCE HIS LATE TEENS FOR A LIFE-LONG MANIFESTATION OF INORDINATELY AGGRESSIVE BEHAVIOR, SEEM TO ADD STILL MORE SUPPORT TO THE RELATIONSHIP BETWEEN THE EXTRA CHROMOSOME AND AGGRESSION. HOWEVER, THE EXISTENCE OF AN XYY SYNDROME IS ARGUABLE, ESPECIALLY IN LIGHT OF THE FACT THAT MANY MEN WITH AN EXTRA Y CHROMOSOME HAVE BEEN FOUND TO LEAD ESSENTIALLY UNREMARKABLE, QUIET LIVES. DATA FROM STUDIES ALL OVER THE WORLD, WHILE GENERALLY AFFIRMING THE AGGRESSIVE TENDENCIES OF XYY MALES, HOLD VARIOUSLY ON THE INCIDENCE OF XYY'S AMONG THE POPULATIONS OF OFFENDERS INCARCERATED BOTH IN PRISONS AND MENTAL INSTITUTIONS. WHATEVER INCIDENCE MAY EVENTUALLY BE DETERMINED, IT IS SAFE TO PREDICT THAT PERSONS WITH AN EXTRA Y CHROMOSOME WILL CONSTITUTE AN INSIGNIFICANT PROPORTION OF THE PERPETRATORS OF VIOLENT CRIMES. REFERENCES AND TABULAR DATA ARE INCLUDED.

Sponsoring Agency: US DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT, 9000 ROCKVILLE PIKE, BETHESDA, MD 20014.

59. **R. M. KEITH. SPECULATIONS ON SOME POSSIBLE LONG-TERM EFFECTS (FROM CONCERNING CHILD ABUSE, 1975, BY ALFRED WHITE FRANKLIN SEE NCJ-26797).** CHURCHILL LIVINGSTONE, 23 RAVELSTON TERRACE, EDINBURGH, SCOTLAND. 5 p. 1975. United Kingdom. **NCJ-48961**

THE LONG-TERM EFFECTS OF NONACCIDENTAL INJURY, PARTICULARLY TO THE HEAD, IN CHILDREN ARE EXAMINED. LASTING BRAIN INJURY SUFFICIENT TO PRODUCE DEFICITS IN BRAIN FUNCTION OFTEN RESULTS. THIS PAPER EXAMINES CLOSELY THE RESULTS OF MANY STUDIES REGARDING THE LONG-TERM EFFECTS OF CHILD ABUSE. CEREBRAL PALSY, EPILEPSY AND MENTAL DEFICIENCY ARE COMMON CONSEQUENCES OF THESE INJURIES. THE POSSIBLE LATER EFFECTS OF SHAKING A BABY ARE EXPLAINED, AND TWO FOLLOWUP STUDIES ON SHAKEN CHILDREN HAVE INDICATED A HIGH INCIDENCE OF MENTAL RETARDATION. IT IS THEORIZED THAT SUCH UNDETECTED WHIPLASH SHAKINGS COULD BE THE CAUSE OF DAMAGE USUALLY ATTRIBUTED TO PRENATAL INFECTIONS, GENETIC DISEASES, CONGENITAL MALFORMATICNS, AND BIRTH INJURIES. THE CONSEQUENCES OF THE COMMON COMBINATION OF CEREBRAL CONTUSION AND SUBDURAL HEMATOMA RANGE FROM EDUCATIONALLY SUBNORMAL AND MODERATELY INCAPACITATED, TO UNEDUCABLE AND SEVERELY INCAPACITATED, TO DEATH. STATISTICS ARE OFFERED ON DEATHS FROM ABUSE IN GREAT BRITAIN, WEST GERMANY AND THE U.S. PERMANENT BRAIN DAMAGE AND PERMANENT CENTRAL NERVOUS SYSTEM DAMAGE ARE DESCRIBED. STATISTICS ARE PROVIDED REGARDING THE INCIDENCE OF NEUROLOGICAL IMPAIRMENT, SUCH AS CEREBRAL PALSY AND VISUAL DEFECTS, AND EDUCATIONAL DIFFICULTIES RANGING FROM DISTURBED TO SEVERELY RETARDED. SUCH ABUSE ALSO AFFECTS THE CHILD'S PERSONALITY DEVELOPMENT, CAUSING DEPRESSION, EMOTIONAL MALADJUSTMENT, AND ANTISOCIAL BEHAVIOR. SIMILAR GERMAN STUDIES FOUND THESE SAME CHARACTER DEVELOPMENT PAT-

TERNS IN CRIMINALS. IT IS SUGGESTED THAT MOTHERS-TO-BE AT RISK OF INFLICTING NONACCIDENTAL INJURY BE IDENTIFIED IN PRENATAL CLINICS AND FOLLOWED UP TO PROMOTE GOOD BONDING BETWEEN MOTHERS AND THEIR INFANTS.

60. **L. N. KING and Q. D. YOUNG. INCREASED PREVALENCE OF SEIZURE DISORDERS AMONG PRISONERS.** AMERICAN MEDICAL ASSOCIATION, 535 NORTH DEARBORN STREET, CHICAGO IL 60610. *AMERICAN MEDICAL ASSOCIATION JOURNAL*, V 239, N 25 (JUNE 1978), P 2674-2675. **NCJ-56278**

THE PRESCRIPTION RATES FOR ANTICONVULSANT MEDICATIONS WERE SURVEYED FOR 12,030 INMATES OF 10 STATE PRISONS, REVEALING A 1.9 PERCENT PREVALENCE OF SEIZURE DISORDERS AMONG THE PRISON POPULATION. THIS ESTIMATED PREVALENCE IS APPROXIMATELY THREE TIMES HIGHER THAN THAT AMONG MIDDLE-CLASS, NONPRISONER POPULATIONS. ANOTHER STUDY, OF 1,420 PERSONS ENTERING CORRECTIONAL FACILITIES, SHOWED 1.8 PERCENT DIAGNOSED AS HAVING SEIZURE DISORDERS. DATA OBTAINED FROM PRISONERS IN OTHER STATES INDICATE SIMILARLY HIGH RATES OF EPILEPSY. ADDITIONAL STUDIES ARE NEEDED TO DETERMINE WHETHER AN INCREASED PREVALENCE OF SEIZURE DISORDERS IS CHARACTERISTIC OF THE ECONOMICALLY DEPRIVED URBAN POPULATION FROM WHICH THE MAJORITY OF PRISONERS ORIGINATE. NO CURRENT STANDARDS ADEQUATELY PRESCRIBE THE PARTICULAR NEEDS OF EPILEPTICS WITHIN JAILS. THESE NEEDS INCLUDE ADEQUATE MEDICAL EVALUATIONS, KNOWLEDGE OF SEIZURE DISORDERS BY MEDICAL STAFF, AVAILABILITY OF SPECIALIZED SERVICES SUCH AS SCANNING PROCEDURES AND NEUROLOGIC CONSULTATIONS, APPROPRIATE HOUSING AND WORK ASSIGNMENTS, REDUCED INTERPERSONAL STRESS LEVELS, AND KNOWLEDGEABLE CORRECTIONS STAFF. CORRECTIONAL INSTITUTIONS SHOULD CONSIDER THE INITIATION OF COMPREHENSIVE DIAGNOSTIC AND TREATMENT PROGRAMS FOR INMATES WITH SEIZURE DISORDERS. STUDIES SHOULD BE UNDERTAKEN TO ELUCIDATE THE ETIOLOGIC FACTORS AND NATURAL HISTORY OF SEIZURE DISORDERS IN ORDER TO ANSWER SUCH QUESTIONS AS WHETHER CHILDHOOD SEIZURES PREDISPOSE UNEMPLOYABILITY AND SOCIAL REJECTION WITH SUBSEQUENT ANTISOCIAL OR CRIMINAL BEHAVIOR AND WHETHER IMPROVED TREATMENT DECREASES RECIDIVISM RATES. REFERENCES ARE INCLUDED.

61. **M. MIKKELSEN and I. ERLING. SEX CHROMOSOME ABNORMALITIES IN MENTALLY RETARDED CRIMINALS.** SPRINGER-VERLAG, 175 FIFTH AVENUE, NEW YORK NY 10010. *JOURNAL OF LEGAL MEDICINE*, V 69, N 3 (1971), P 157-160. **NCJ-56823**

DURING A 1-YEAR PERIOD, BOTH FIRST OFFENDERS AND RECIDIVISTS UNDER THE CARE OF A COPENHAGEN (DENMARK) CENTER FOR THE MENTALLY RETARDED WERE EXAMINED CYTOGENETICALLY TO DETERMINE THE INCIDENCE OF XYY MALES. BLOOD WAS CULTURED IN THE USUAL WAY FOR 48 TO 72 HOURS, AND A TOTAL OF 10 CELLS WERE ANALYZED FOR THE SAMPLE OF 40 MALES. ALL SUBJECTS WERE GIVEN PSYCHIATRIC AND INTELLIGENCE TESTS AS WELL AS CLINICAL EXAMINATIONS. RESULTS INDICATE THAT 35 OF THE OFFENDERS HAVE A 46, XY KARYOTYPE, 4 HAVE A 47, XYY, AND ONE HAS A 47, XXY. FEW OF THE OFFENDERS HAD ABNORMALLY LOW INTELLIGENCE QUOTIENTS (IQ'S), AND THE XY AND XYY OFFENDERS WERE MOSTLY IN THE 70 TO 85 IQ RANGE. THE XYY OFFENDERS WERE TALL, SHOWED A TENDENCY TOWARD EMOTIONAL LABILITY, WERE IMMATURE WITH OVERDEPENDENCY AND CONTACT NEED, AND HAD DIFFICULTIES WITH THEIR SEX LIVES AND IN MAINTAINING PERSONAL RELATIONSHIPS. OFFENSES COMMITTED BY THE 40 SUBJECTS VARIED AND SHOWED NO CORRELATION WITH CHROMOSOME KARYOTYPES. ALTHOUGH THE XYY OFFENDERS APPEAR TO BE TYPICALLY TALL AND PRONE TO CRIMINAL BEHAVIOR, CONCLUSIONS CANNOT BE MADE UNTIL STUDIES ARE COMPLETED ON CHROMOSOMAL MAKEUP OF THE GENERAL POPULATION. THE SAMPLE IN THIS STUDY AND IN ANOTHER 1968 STUDY CAN BE CONTAMINATED SINCE THE DANISH LEGAL SYSTEM TENDS TO REFER OFFENDERS WITH SUBNORMAL OR BORDERLINE INTELLIGENCE TO CENTERS FOR THE MENTALLY RETARDED. TABULAR DATA AND REFERENCES ARE PROVIDED.

62. **W. H. PRICE, J. A. STRONG, P. B. WHATMORE, and W. F. MCCLEMONT. CRIMINAL PATIENTS WITH XYY SEX-CHROMOSOME COMPLEMENT.** LANCET, 7 ADAM STREET, ADELPHI, LONDON, ENGLAND. *LANCET*, V 1, N 7436 (MARCH 5, 1966), P 565-566. **NCJ-56737**

THE CLINICAL CHARACTERISTICS OF NINE MALE OFFENDERS WITH ABNORMAL CHROMOSOME CONFIGURATIONS ARE DESCRIBED. A SURVEY OF THE CHROMOSOME PATTERNS OF 197 OFFENDERS DETAINED UNDER MAXIMUM SECURITY AT A BRITISH MENTAL HOSPITAL FOUND THAT 7 HAD THE XYY SEX-CHROMOSOME ABNORMALITY. THE SAME ABNORMALITY WAS SUBSEQUENTLY IDENTIFIED IN TWO MORE PATIENTS AT THE SAME HOSPITAL. EIGHT OF THE CHROMOSOMALLY ABNORMAL MEN WERE MENTALLY RETARDED AND ONE WAS SCHIZOPHRENIC. THEIR CRIMES WERE NO DIFFERENT FROM THOSE OF OTHER PATIENTS AT THE HOSPITAL, ALTHOUGH MOST HAD FREQUENTLY ABSCONDED FROM MENTAL HOSPITALS WHERE THEY HAD BEEN DETAINED, AND THEIR BEHAVIOR HAD OFTEN BEEN AGGRESSIVE AND VIOLENT. AS A GROUP, THE CHROMOSOMALLY ABNORMAL MEN WERE SIGNIFICANTLY TALLER THAN OTHER MALES IN THE HOSPITAL: SIX WERE OVER 6 FEET TALL. NO OTHER PHYSICAL TRAIT DISTINGUISHED THEM FROM OTHER MEN. SUPPORTING DATA AND A LIST OF REFERENCES ARE INCLUDED.

63. **W. H. PRICE. SEX CHROMOSOME ABNORMALITIES—HOW STRONG IS THE LINK WITH CRIME?** SANFORD EVANS PUBLISHING LTD. *MANITOBA MEDICAL REVIEW*, V 48, N 1 (JANUARY 1968), P 26-27. **NCJ-57006**

THIS ARTICLE REPORTS THAT NEARLY 3 PERCENT OF THE MALE POPULATION OF A SCOTTISH MAXIMUM SECURITY FACILITY HAVE AN XYY SEX CHROMOSOME COMPLEMENT, AND ALL THESE HAVE A RECORD OF PERVERTED AND IRRESPONSIBLE BEHAVIOR. RESEARCH IN THE FIELD OF HUMAN GENETICS HAS DETECTED SEVERAL CHROMOSOME ABNORMALITIES, AND SOME OF THESE HAVE BEEN DETERMINED TO PRODUCE DEVELOPMENTAL DISORDERS. MANY PATIENTS WITH AN EXTRA X CHROMOSOME HAVE BEEN FOUND IN HOSPITALS FOR THE MENTALLY SUBNORMAL, AND HAVE HAD RECORDS OF CRIMINAL BEHAVIOR. IT IS NOT CLEAR, HOWEVER, WHETHER THE EXTRA X CHROMOSOME DIRECTLY PREDISPOSES DISTURBED BEHAVIOR, OR WHETHER THE DELINQUENCY CAN BE EXPLAINED BY THE REDUCED INTELLECT. A CHROMOSOME SURVEY OF MALE PATIENTS AT THE SCOTTISH STATE HOSPITAL FOR DANGEROUS PATIENTS FOUND THAT NEARLY 3 PERCENT OF THE POPULATION HAD AN EXTRA Y CHROMOSOME. MEN WITH THE XYY COMPLEMENT HAD NO PHYSICAL ABNORMALITY NOR ANY CONSPICIOUS ABNORMAL SEXUAL DEVELOPMENT. SOME WERE MENTALLY RETARDED, BUT OTHERS WERE OF NORMAL INTELLIGENCE. ALL OF THOSE WITH THE XYY TRAIT HAD A HISTORY OF OFFENSIVE BEHAVIOR AND MOST HAD CRIMINAL RECORDS. IT IS STRONGLY SUGGESTED THAT THE EXTRA Y CHROMOSOME IS RESPONSIBLE FOR THE CRIMINALITY AND MORAL DEFICIENCY OF THESE PATIENTS. FURTHER RESEARCH SHOULD DETERMINE THE INCIDENCE OF THE XYY ABNORMALITY IN THE GENERAL POPULATION.

64. **E. S. ROCKOFF and R. J. HOFMANN. NORMAL AND THE RETARDED OFFENDER—SOME CHARACTERISTIC DISTINCTIONS.** ASSOCIATION FOR PSYCHIATRIC TREATMENT OF OFFENDERS, 199 GLOUCESTER PLACE, LONDON NW1 6BU, ENGLAND. *INTERNATIONAL JOURNAL OF OFFENDER THERAPY AND COMPARATIVE CRIMINOLOGY*, V 21, N 1 (1977), P 52-56. **NCJ-42291**

THIS STUDY INVESTIGATED AND COMPARED THE CRIMINAL HISTORIES OF 2,227 MENTALLY RETARDED AND NORMAL OFFENDERS INCARCERATED IN THE ADULT CORRECTIONAL INSTITUTIONS IN IOWA DURING THE YEARS 1963-1969. THE CRIMINAL PROFILES OF THE MENTALLY RETARDED (INTELLIGENCE QUOTIENT 79 AND BELOW) AND NORMAL OFFENDER (INTELLIGENCE QUOTIENT 90 AND ABOVE) WERE COMPILED FROM DATA GATHERED BY THE BUREAU OF ADULT CORRECTIONS. SIX BASIC CRIMINAL CHARACTERISTICS WERE ASSESSED—ADMISSION OFFENSE, LENGTH OF SENTENCE, TYPE OF RELEASE, NUMBER OF PREVIOUS ARRESTS, NUMBER OF PREVIOUS SENTENCES, AND SOCIAL ADJUSTMENT POTENTIAL. GENERALLY SPEAKING, THE RETARDED INMATES TENDED TO COMMIT MORE VIOLENT CRIMES THAN EXPECTED AND WERE ARRESTED MORE FREQUENTLY THAN EXPECTED; BUT IT WAS THE NORMAL OFFENDER THAT SEEMED TO HAVE MORE PREVIOUS CONVICTIONS THAN EXPECTED. THEREFORE, IT COULD BE SPECULATED THAT THE RETARDED ARE MORE AMENABLE TO THE TYPES OF REHABILITATION AND VOCATIONAL PROGRAMS OFFERED IN CORRECTIONAL INSTITUTIONS AND THE OCCUPATIONS AVAILABLE TO EX-CONVICTS, AND THAT IT IS THE OFFENDER OF NORMAL INTELLIGENCE WHO IS NOT PROFITING FROM EXISTING PRISON REHABILITATION PROGRAMS. REFERENCES ARE INCLUDED.

65. **D. SILVERMAN. ELECTROENCEPHALOGRAPHIC STUDIES OF CRIMINAL PSYCHOPATHS (FROM CORRECTIONAL CLASSIFICATION AND TREATMENT—A READER, 1975, BY LEONARD J HIPPCHEN-SEE NCJ 32007).** ANDERSON PUBLISHING COMPANY, 646 MAIN STREET, CINCINNATI OH 45201. 5 p. 1975. **NCJ-49122**

ELECTROENCEPHALOGRAPHIC TRACINGS OF 100 PSYCHOPATHIC INMATES ARE REPORTED AND DISCUSSED. THE SUBJECTS IN THE SAMPLE WERE TAKEN FROM INMATES ADMITTED TO THE MEDICAL CENTER FOR FEDERAL PRISONERS, WHO HAD A DIAGNOSIS OF CONSTITUTIONAL PSYCHOPATHIC INFERIORITY WITHOUT PSYCHOSIS. THE AGES VARIED FROM 16 TO 43 YEARS. THEIR INTELLIGENCE FOLLOWED THE DISTRIBUTION CURVE OF THE AVERAGE CIVILIAN POPULATION. OF THE 100 SUBJECTS STUDIED WITH THE ELECTROENCEPHALOGRAPH, 79 PERCENT WERE DISCOVERED TO HAVE ABNORMAL OR BORDERLINE ABNORMAL TRACINGS. CITING THE CONFLICT BETWEEN THE TWO SCHOOLS OF THOUGHT THAT ROOT PSYCHOPATHY IN ORGANIC AND PSYCHOGENIC FACTORS ORIGINATING IN THE TRAUMATA OF CHILDHOOD, THE AUTHOR PROPOSES A RECONCILIATION OF THESE VIEWS. IT IS BELIEVED THAT IN MANY PSYCHOPATHS A CONGENITAL CEREBRAL DYSFUNCTION INCREASES THE SENSITIVITY TO THE EMOTIONAL TRAUMATA OF CHILDHOOD. UNSTABLE REACTIONS TO THESE TRAUMATA AND THE INABILITY TO INTEGRATE NEW EXPERIENCES INTO THE GROWING PERSONALITY THEN FURTHERS THE DEVELOPMENT OF PSYCHOPATHIC MODES OF BEHAVIOR. SEE NCJ 32007.

66. **H. J. STEADMAN and J. COCOZZA. PSYCHIATRY, DANGEROUSNESS AND THE REPETITIVELY VIOLENT OFFENDER.** NORTHWESTERN UNIVERSITY SCHOOL OF LAW, 357 EAST CHICAGO AVENUE, CHICAGO IL 60611. *JOURNAL OF CRIMINAL LAW AND CRIMINOLOGY*, V 69, N 2 (SUMMER 1978), P 226-231. **NCJ-54927**

THE ABILITY OF PSYCHIATRISTS TO PREDICT THE FUTURE VIOLENT BEHAVIOR OF CRIMINALS IS EXAMINED IN THIS STUDY OF 257 FELONY CASES FROM NEW YORK CITY. THERE IS A WIDELY HELD ASSUMPTION THAT MENTAL ILLNESS AND VIOLENT BEHAVIOR ARE ASSOCIATED. THE PURPOSE OF THIS STUDY WAS TO EXAMINE THIS RELATIONSHIP AND THE ABILITY OF PSYCHIATRISTS TO PREDICT FUTURE VIOLENT BEHAVIOR OF CRIMINALS. THIS STUDY USED AS ITS SAMPLE 257 MALE, INDICTED, FELONY DEFENDANTS FOUND INCOMPETENT TO STAND TRIAL. ALL SUBJECTS WERE DEFINED AS PERSONS WHO ARE SO MENTALLY ILL OR MENTALLY DEFECTIVE THAT THEIR PRESENCE IN AN INSTITUTION IS DANGEROUS TO THE SAFETY OF OTHER PATIENTS, THE STAFF OF THE INSTITUTION, AND THE COMMUNITY. IN 157 OF THE 257 CASES, 60 PERCENT OF THE INDICTED, FELONY DEFENDANTS WERE FOUND DANGEROUS BY THE EXAMINING PSYCHIATRISTS. DATA FOR THIS STUDY WERE COLLECTED FROM THE PSYCHIATRIC REPORTS AND FROM OBSERVATIONS OF THE OFFENDER'S HEARINGS. IT WAS FOUND THAT PSYCHIATRISTS OFTEN ALLUDED TO CRITERIA SUCH AS DELUSIONAL OR IMPAIRED THINKING AND IMPULSIVENESS OR UNPREDICTABILITY AS PREDICTORS OF FUTURE VIOLENT BEHAVIOR. HOWEVER, PSYCHIATRISTS JUST AS OFTEN REFERRED TO THE CURRENT ALLEGED OFFENSE, HISTORIES OF ASSAULTS, ARRESTS, AND HOSPITALIZATIONS AS PSYCHIATRIC JUSTIFICATIONS FOR FUTURE VIOLENCE. MORE IMPORTANTLY, OUT OF THE WIDE RANGE OF SOCIODEMOGRAPHIC, CRIMINAL, HOSPITAL HISTORY, AND DIAGNOSTIC VARIABLES, ONLY ONE WAS STATISTICALLY SIGNIFICANT IN DIFFERENTIATING THOSE DEFENDANTS FOUND TO BE DANGEROUS FROM THOSE FOUND TO BE NONDANGEROUS BY THE PSYCHIATRISTS. THIS VARIABLE WAS CURRENT ALLEGED OFFENSE. REGARDLESS OF AGE, CRIMINAL HISTORY, MENTAL HOSPITALIZATION HISTORY, CURRENT DIAGNOSIS, OR ANYTHING ELSE, IF THE INDIVIDUAL WAS CHARGED WITH A VIOLENT OFFENSE, THERE WAS A STRONG POSSIBILITY HE WOULD BE FOUND DANGEROUS. THESE DATA SUGGEST THAT UNDER PRETRIAL EXAMINATION CONDITIONS, PSYCHIATRISTS SHOW NO ABILITIES TO PREDICT ACCURATELY FUTURE VIOLENT BEHAVIOR BEYOND THAT EXPECTED BY CHANCE. TABLES AND FOOTNOTES ARE INCLUDED.

Sponsoring Agency: US DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE PUBLIC HEALTH SERVICE, 5600 FISHERS LANE, ROCKVILLE MD 20852.

67. **TEXAS DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION, BOX 12668, CAPITOL STATION, AUSTIN TX 78711. PROJECT CAMIO (CORRECTIONAL ADMINISTRATION AND THE MENTALLY INCOMPETENT OFFENDER), V 2—THEORIES ON CRIMINALITY AND MENTAL RETARDATION.** 153 p. 1973. **NCJ-12528**

HISTORICAL AND PHILOSOPHICAL PERSPECTIVE OF MENTAL RETARDATION, AND THEORETICAL TRENDS OF THE RELATIONSHIP BETWEEN MENTAL RETARDATION AND DEVIANT BEHAVIOR. THE INTRODUCTION PROVIDES A BRIEF DISCUSSION OF TERMINOLOGY AND ETIOLOGY. IN SECTION TWO, A REVIEW OF MENTAL RETARDATION FROM EARLY AGES TO THE PRESENT INDICATES A PROGRESSION FROM THE GENERAL EQUATION BETWEEN CRIMINALITY AND SUB-NORMAL INTELLIGENCE TO A GROWING AWARENESS THAT THE PREPONDERANCE OF MENTALLY RETARDED INDIVIDUALS IN THE CRIMINAL JUSTICE SYSTEM MAY BE MORE AN ADMINISTRATIVE AND LEGAL ARTIFACT THAN EVIDENCE FOR A CAUSAL RELATIONSHIP. THE FOLLOWING CHAPTER DISCUSSES THE DEVELOPING LAW CONCERNING RETARDATES, PRESENTS RELIGIOUS, PHYSICAL AND GENETIC, AND ENVIRONMENTAL THEORIES OF MENTAL RETARDATION AND CRIME, AND DISCUSSES TREATMENT OF THE DEFECTIVE OFFENDER. THE CORRECTIONAL TREATMENT PROGRAMS INSTITUTED BY PENAL SYSTEMS ARE BECOMING ORIENTED TOWARD TREATMENT APPROPRIATE TO THE CONDITION OF THE MENTALLY RETARDED RATHER THAN TREATMENT GEARED TO CRIMINALITY. INCLUDED ARE TABLES INDICAT-

ING THE DATE, INVESTIGATOR, AND TYPE OF INVESTIGATION BASED UPON THE THEORIES OF LOMBROSO, NEUROLOGICAL INVESTIGATIONS STEMMING FROM GALL'S THEORIES, AND A TABLE ON THE ANTHROPOLOGICAL, SOCIO-BIOLOGICAL, ETIOLOGICAL, AND SOCIOLOGICAL THEORIES OF THE NATURE AND GENESIS OF CRIME. (AUTHOR ABSTRACT MODIFIED)

Sponsoring Agency: US DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, 330 INDEPENDENCE AVENUE, SW, WASHINGTON DC 20201.

68. **TEXAS DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION, BOX 12668, CAPITOL STATION, AUSTIN TX 78711. PROJECT CAMIO (CORRECTIONAL ADMINISTRATION AND THE MENTALLY INCOMPETENT OFFENDER), V 4—THE MENTALLY RETARDED IN AN ADULT CORRECTIONAL INSTITUTION.** 136 p. 1973. **NCJ-12530**

INVESTIGATION OF THE INCIDENCE OF MENTAL RETARDATION AMONG INMATES OF THE TEXAS DEPARTMENT OF CORRECTIONS. FOLLOWING A DETAILED RESUME OF THE LEGAL AUTHORITY AND ADMINISTRATIVE STRUCTURE OF THE TEXAS DEPARTMENT OF CORRECTIONS, THE AUTHOR DISCUSSES THE METHODOLOGY OF THE STUDY. HE DESCRIBES THE DIAGNOSTIC CENTER, SAMPLING PROCEDURES, INTELLIGENCE TESTING PROCEDURES, AND THE SOCIAL AND CRIMINAL HISTORY INFORMATION GATHERED. STUDY RESULTS SHOW THAT THE INCIDENCE OF MENTAL RETARDATION WITHIN THE SAMPLE VARIED FROM FIVE TO TWENTY THREE PERCENT DEPENDING UPON THE MEASURE OF INTELLIGENCE USED. COMMENTS ARE ALSO MADE ON THE RELATIONSHIP BETWEEN INTELLIGENCE AND OTHER FACTORS SUCH AS BACKGROUND CHARACTERISTICS, JUVENILE CRIMINAL RECORD, CRIMINAL HISTORY, AND CURRENT COMMITMENT INFORMATION. A POSITIVE RELATIONSHIP WAS FOUND BETWEEN NORMAL INTELLIGENCE AND THE GRANTING OF PROBATION. THE AUTHOR ASSOCIATES THE HIGH INCIDENCE OF MENTAL RETARDATION WITHIN THE TEXAS DEPARTMENT OF CORRECTIONS WITH ADMINISTRATIVE DEFECTS IN THE CRIMINAL JUSTICE SYSTEM.

Sponsoring Agency: US DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, 330 INDEPENDENCE AVENUE, SW, WASHINGTON DC 20201.

69. **US DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE NATIONAL INSTITUTE OF MENTAL HEALTH, 5600 FISHERS LANE, ROCKVILLE, MD 20852. XYY CHROMOSOMAL ABNORMALITY, REPORT.** 55 p. 1970. **NCJ-00451**

A CONFERENCE REPORT ON THE CURRENT STATE-OF-KNOWLEDGE OF THE CHROMOSOME ANOMALY INDICATES HIGH PREVALENCE RATES FOR PENAL AND MENTAL INSTITUTION INMATES. THIS REPORT LOOKS AT OUTSTANDING GAPS IN KNOWLEDGE RESEARCH METHODOLOGIES FOR MORE MEANINGFUL DATA COMPARISONS, AND MEDICO-LEGAL ISSUES INVOLVED IN RESEARCH. A CONSIDERABLE PORTION OF THE CONFERENCE DISCUSSED INCIDENCE AND PREVALENCE OF THE ABNORMALITY, AND THIS INFORMATION IS TABULATED AND EXPLAINED. THE XYY SOCIAL BEHAVIOR IS COMPARED TO OTHER FORMS. WHILE FURTHER RESEARCH IS NEEDED TO CONFIRM FINDINGS, STUDIES INDICATE THAT PREVALENCE RATES FOR INMATES OF PENAL AND MENTAL INSTITUTIONS ARE MUCH HIGHER THAN IN GENERAL POPULATION. APPENDICES CONTAIN BACKGROUND INFORMATION ON GENETICS AND A GLOSSARY OF SPECIALIZED TERMS.

Availability: GPO.

70. **M. W. VAN ALLEN. EPILEPSY AMONG PERSONS CONVICTED OF CRIMES.** AMERICAN MEDICAL ASSOCIATION, 535 NORTH DEARBORN STREET, CHICAGO IL 60610. *JOURNAL OF THE AMERICAN MEDICAL ASSOCIATION,* V 239, N 25 (1978), P 2694-2695. **NCJ-66279**

EPILEPTICS SUFFER AN UNDERPRIVILEGED SOCIAL STATUS AND REQUIRE ENHANCED MEDICAL MANAGEMENT, PUBLIC AWARENESS AND UNDERSTANDING, AND BETTER TREATMENT BY THE CIVIL AND CRIMINAL JUSTICE SYSTEMS. THIS ESSAY CHARACTERIZED THE PLIGHT OF EPILEPTICS AND PLEADS FOR THEIR HUMAN RIGHTS AND EQUALITY OF ACCESS TO SOCIAL SERVICES. A STUDY HAS SHOWN A GREATER PREVALENCE, OF EPILEPSY IN JAILS AND PRISONS (19 PERCENT AMONG 12,030 INMATES) THAN THAT ESTIMATED FOR THE GENERAL POPULATION. THE ARTICLE SUGGESTS THAT THIS IS DUE TO THE EASE WITH WHICH EPILEPSY CAN BE DETECTED UNDER INSTITUTIONALIZED CONDITIONS; IT QUESTIONS ASSUMED CORRELATIONS BETWEEN EPILEPSY AND CRIME. THE OCCURRENCE OF ORGANIZED ANTISOCIAL BEHAVIOR ATTRIBUTABLE DIRECTLY TO EPILEPSY IS RARE, AND CONVICTION FOR AN IDENTIFIED CRIME IS EVEN MORE SO. NEVERTHELESS, DUE TO BEHAVIOR OFTEN PERCEIVED BY SOCIETY AS HOSTILE, EPILEPTICS ARE MORE LIKELY TO FIND THEMSELVES IN SITUATIONS REQUIRING COURT APPEARANCE. MOREOVER, SOCIAL OSTRACISM FREQUENTLY RESULTS IN THE DEVELOPMENT OF ANTISOCIAL ATTITUDES, ALCOHOLISM, OR DRUG ABUSE, WHICH MAY LEAD TO PRISON. EPILEPTICS ARE MORE POORLY SERVED MEDICALLY AND SOCIALLY THAN ANY OTHER LARGE CATEGORY OF PATIENTS. RECOMMENDATIONS MADE BY THE EPILEPSY FOUNDATION OF AMERICA AND THE COMMISSION FOR THE CONTROL OF EPILEPSY AND ITS CONSEQUENCES TO THE FEDERAL GOVERNMENT CALL FOR EQUALITY OF TREATMENT AND PUBLIC UNDERSTANDING.

PROGRAMS AND SERVICES

71. **T. ALLMAN, L. LONG, P. JUDGE, L. SHANK, and R. MCMILLEN. MASSACHUSETTS REHABILITATION COMMISSION—SECOND TASK FORCE ON CORRECTIONS.** MASSACHUSETTS REHABILITATION COMMISSION, 296 BOYLSTON STREET, BOSTON MA 02116. 22 p. **NCJ-42349**

THE PURPOSE OF THIS STUDY GROUP WAS TO CRITICALLY EXAMINE THE EFFECTIVENESS OF THE SERVICES BY THE CORRECTIONAL OFFICE. THE GROUP REVIEWED THE HISTORY OF THE OFFICE FOR THE LAST YEAR AND A HALF, AND RECOMMENDATIONS MADE BY THE ORIGINAL TASK FORCE OF 1973. RECOMMENDATIONS OF THE ORIGINAL TASK FORCE WERE REVIEWED TO DETERMINE WHICH RECOMMENDATIONS WERE IMPLEMENTED AND OF THE ONES THAT WERE NOT, WHICH ARE STILL VALID. THE REVIEWS OF THE OFFICE AND OF THE ORIGINAL TASK FORCE CLEARLY POINT OUT THAT SERVICES TO OFFENDERS HAVE PROGRESSED A GREAT DEAL FASTER THAN THE RECOMMENDATIONS. AT THE SAME TIME, HOWEVER, THE PRESENT STUDY GROUP HAS RECOMMENDED THAT MUCH STILL NEEDS TO BE DONE. THE MAJOR RECOMMENDATIONS OF THE PRESENT STUDY GROUP WERE MORE EMPHASIS ON: COMMUNITY CORRECTIONS, THE SEVERELY DISABLED OFFENDER, JUVENILES, AND FEMALE OFFENDERS. ALSO, THE GROUP RECOMMENDED MORE COORDINATION WITH AREA OFFICERS, IN INITIATING NEW AND PRESENT SERVICES TO OFFENDERS. RELATED TO THESE GOALS, REASSIGNMENTS OF COUNSELORS WERE RECOMMENDED. PROBLEM AREAS WERE ALSO DISCUSSED. (AUTHOR ABSTRACT MODIFIED)

Availability: NCJRS MICROFICHE PROGRAM.

72. **AMERICAN MEDICAL ASSOCIATION, 535 NORTH DEARBORN STREET, CHICAGO IL 60610. MANAGEMENT OF COMMON MEDICAL PROBLEMS IN CORRECTIONAL INSTITUTIONS—EPILEPSY AND TUBERCULOSIS.** 24 p. 1978. **NCJ-62523**

THE ORGANIZATION OF EPILEPSY TREATMENT PROGRAMS AND TUBERCULOSIS SCREENING IN CORRECTIONAL INSTITUTIONS IS OUTLINED IN THIS AMERICAN MEDICAL ASSOCIATION PAMPHLET. RECENT STUDIES HAVE SUGGESTED THAT EPILEPSY MAY BE TWO TO THREE TIMES MORE FREQUENT AMONG THE RESIDENTS OF JAILS AND PRISONS THAN IN THE GENERAL POPULATION, MAKING IT IMPERATIVE THAT CORRECTIONAL INSTITUTIONS HAVE AN ORGANIZED TREATMENT PROGRAM FOR EPILEPSY. THIS PROGRAM SHOULD ENSURE THAT ALL INMATES WITH EPILEPSY HAVE HAD APPROPRIATE DIAGNOSTIC STUDIES; THAT SERUM ANTICONVULSANT DRUG LEVELS ARE PERIODICALLY OBTAINED; AND THAT THOSE PERSONS WITH POORLY CONTROLLED OR ATYPICAL SEIZURES HAVE TIMELY ACCESS TO SPECIALIZED EPILEPSY SERVICES, CONSULTANTS, AND DIAGNOSTIC STUDIES. EPILEPSY-SPECIFIC RECORDKEEPING SYSTEMS SHOULD BE DESIGNED AND USED, INCLUDING A SUMMARY OF DIAGNOSTIC RESULTS, ACCURATE DESCRIPTIONS OF SEIZURE EPISODES AND FREQUENCY, ANTICONVULSANT DRUG INTAKE AND SERUM LEVELS, AND PERIODIC EXAMINATIONS TO MONITOR FOR ANY SIDE EFFECTS OF THE MEDICATIONS. AN IMPORTANT ASPECT OF AN ORGANIZED EPILEPSY PROGRAM IS CONTINUING EDUCATION FOR MEDICAL, NURSING, PARAMEDICAL, AND CORRECTIONAL STAFF, INCLUDING TRAINING IN FIRST AID PROCEDURES FOR AN EPILEPTIC SEIZURE. BECAUSE CORRECTIONAL INSTITUTIONS CAN ALSO PLAY AN IMPORTANT ROLE IN THE PREVENTION OF TUBERCULOSIS, PROCEDURES FOR INSTITUTING A TUBERCULOSIS SCREENING PROGRAM ARE PRESENTED, EMPHASIZING INTERAGENCY COOPERATION AND PATIENT SUPERVISION AND EDUCATION. TABULAR DATA ON TUBERCULOSIS AND EPILEPSY TREATMENT ARE INCLUDED, ALONG WITH REFERENCES AND RESOURCE LISTS.

Sponsoring Agency: US DEPARTMENT OF JUSTICE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION, 633 INDIANA AVENUE, NW, WASHINGTON DC 20531.

Availability: NCJRS MICROFICHE PROGRAM.

73. **J. ANDREWS and J. CONLEY. BEER, POT, AND SHOPLIFTING—TEENAGE ABUSES.** CONVENTION OF AMERICAN INSTRUCTORS OF THE DEAF CONFERENCE OF EXECUTIVES OF AMERICAN SCHOOLS FOR THE DEAF, 5034 WISCONSIN AVE NW, WASHINGTON, DC 20016. *AMERICAN ANNALS OF THE DEAF*, V 122, N 6 (DECEMBER 1977), P 557-562. **NCJ-57106**

CLASSROOM ACTIVITIES THAT MIGHT BE HELPFUL TO A TEACHER IN GIVING DEAF TEENAGERS ACCURATE INFORMATION ABOUT ILLEGAL ACTIVITIES ARE DELINEATED. DEAFNESS LIMITS AND DISTORTS THE RECEPTION OF INFORMATION; CONSEQUENTLY, DEAF YOUTHS OFTEN HAVE A MISCONCEPTION OF THE NATURE AND CONSEQUENCES OF CRIME. HAVING DEAF STUDENTS READ INFORMATION ABOUT CRIMES IS OFTEN NOT AN APPROPRIATE SOLUTION SINCE READING LEVELS OF DEAF STUDENTS ARE NOTORIOUSLY LOW. ONE SOLUTION TO THE READING PROBLEM COULD BE PARTICIPATION IN READING-RELATED ACTIVITIES CENTERED AROUND THE TOPIC OF CRIME. CLASSROOM AC-

TIVITIES COULD INCLUDE (1) READING AND DISCUSSING WANTED POSTERS, (2) DISCUSSING JOB APPLICATIONS COLLECTED FROM LOCAL BUSINESSES IN WHICH THERE IS A QUESTION ASKING IF THE APPLICANT HAD EVER BEEN CONVICTED OF A CRIME, (3) MAINTAINING STUDENT SCRAPBOOKS CONTAINING ARTICLES FROM THE NEWSPAPER ON VARIOUS CRIMES, (4) HAVING A POLICEMAN CONDUCT AN INFORMAL QUESTION/ANSWER SESSION ABOUT TEENAGE CRIME AS DESCRIBED IN NEWSPAPERS, (5) TAKING A FIELD TRIP TO THE LOCAL JAIL WITH A QUESTION/ANSWER PERIOD AFTERWARDS, (7) ROLE PLAYING OF VARIOUS CRIMES AND THEIR CONSEQUENCES, AND (8) DEVELOPING AND DRAMATIZING A 'NEWS BROADCAST' ABOUT CRIME. UTILIZING THESE APPROACHES COULD CURB ILLEGAL ACTIVITIES SUCH AS SHOPLIFTING AND MARIJUANA SMOKING AND ADDITIONALLY MIGHT MOTIVATE DEAF TEENS TO IMPROVE THEIR READING AND WRITING SKILLS. REFERENCE NOTES ARE INCLUDED.

74. **ATLANTA ASSOCIATION FOR RETARDED CITIZENS, INC, 1687 TULLY CIRCLE, NE, SUITE 110, ATLANTA GA 30329. GEORGIA'S CRIMINAL JUSTICE SYSTEM AS IT RELATES TO THE MENTALLY RETARDED, I.E., LAW ENFORCEMENT, JUDICIAL, AND INCARCERATION—A STUDY, V 1.** 186 p. 1975. **NCJ-65578**

EFFORTS OF THE LAW ENFORCEMENT, JUDICIAL, AND CORRECTIONAL BRANCHES OF THE GEORGIA CRIMINAL JUSTICE SYSTEM TO DEAL WITH MENTALLY RETARDED OFFENDERS ARE REVIEWED, AND RECOMMENDATIONS FOR IMPROVEMENT ARE MADE. STUDY OBJECTIVES WERE TO DETERMINE (1) IF THERE WAS ONE PRIMARY PROBLEM WHICH PERMEATED THE ENTIRE CRIMINAL JUSTICE SYSTEM AND (2) HOW THE CRIMINAL JUSTICE SYSTEM COULD ALSO HELP THE MENTALLY RETARDED OFFENDER TO BECOME A MORE PRODUCTIVE CITIZEN. THE STUDY POPULATION INCLUDED ALL RETARDED CITIZENS IN GEORGIA WHO HAD BROKEN THE LAW AND HAD CONTACT WITH THE CRIMINAL JUSTICE SYSTEM. AS MANY AS 39 PERCENT OF INMATES IN CORRECTIONAL INSTITUTIONS COULD BE CLASSIFIED AS MENTALLY RETARDED (IQ OF 79 AND BELOW) AND AS MANY AS 44 PERCENT OF JUVENILE DETENTION CENTER INMATES COULD BE SIMILARLY CLASSIFIED. OF RETARDED OFFENDERS IN GEORGIA, 56 PERCENT COME FROM RURAL OR SMALL TOWN SETTINGS; 83 PERCENT ARE BLACK; MOST ARE MALES UNDER 25 YEARS OF AGE; 88 PERCENT COME FROM FAMILIES THAT HAVE A MINIMUM INCOME OF $3,000 OR ARE ON WELFARE. BURGLARY, ROBBERY, AND THEFT ARE THE MOST COMMONLY COMMITTED CRIMES, FOLLOWED BY MANSLAUGHTER. THE RETARDED OFFENDER FUNCTIONS ON ABOUT A THIRD-GRADE LEVEL; MOST HAVE AN IQ RANGE OF 51 TO 60. THE RETARDED OFFENDER'S PAST RECORD INCLUDES 3.2 PRIOR ARRESTS COMPARED TO 2.9 FOR THE NORMAL INMATE. AFTER CONDUCTING A LITERATURE REVIEW, PROGRAM VISITS, AND PROGRAM REVIEWS, RESEARCHERS DEVELOPED LAW ENFORCEMENT, JUDICIAL, AND CORRECTIONAL MODELS FOR ADULTS AND FOR JUVENILES TO SEE IF THEY COULD BE IMPLEMENTED OR ADAPTED TO GEORGIA'S CRIMINAL JUSTICE SYSTEM. AWARENESS OF THE PROBLEM EXISTS AT ALL LEVELS OF GEORGIA'S CRIMINAL JUSTICE SYSTEM, BUT POLICE LACK EDUCATION IN MENTAL RETARDATION, JUDGES AND LAWYERS CANNOT FIND ALTERNATIVES TO INCARCERATION, AND CORRECTIONAL INSTITUTIONS HAVE NO SIGNIFICANT PROGRAMS FOR MENTALLY RETARDED OFFENDERS. RECOMMENDATIONS PROMOTE (1) STATE AND LOCAL COORDINATION EFFORT IN PROGRAM DESIGN AND IMPLEMENTATION, (2) POLICE EDUCATION IN MENTAL RETARDATION, (3) A PROCESS FOR THE COURTS TO DETERMINE MENTAL RETARDATION IN PERSONS ACCUSED OF CRIME, (4) A PROGRAM FOR MENTALLY RETARDED OFFENDERS WITH EMOTIONAL PROBLEMS, AND (5) SPECIAL TRAINING AND SPECIAL EDUCATION FOR MENTALLY RETARDED OFFENDERS. TABLES AND GRAPHS ARE INCLUDED AND SUGGESTED PROGRAMS ARE PROVIDED.

75. **C. V. BAKEMAN. DEVELOPMENTALLY DISABLED OFFENDER AND COMMUNITY-BASED SERVICES IN ILLINOIS.** HAWORTH PRESS, 149 FIFTH AVENUE, NEW YORK NY 10010. *OFFENDER REHABILITATION,* V 1, N 1 (FALL 1976), P 89-100. **NCJ-40156**

FINDINGS FROM A SURVEY TO EXAMINE THE NEEDS AND PROBLEMS OF DEVELOPMENTALLY DISABLED OFFENDERS, PARTICULARLY THE MENTALLY RETARDED, IN COMMUNITY BASED PROGRAMS IN ILLINOIS. DATA WERE COLLECTED AND ANALYZED FOR THE PURPOSES OF IDENTIFYING AGENCY CONCERNS, AGENCY NEEDS, AND GAPS IN PROGRAM SERVICES, IN PERSONNEL NEEDS, AND IN OTHER RELEVANT AREAS. IT WAS INDICATED BY THE RESPONDENTS THAT THERE WAS A NEED FOR SPECIALIZED PROGRAMS FOR DEVELOPMENTALLY DISABLED OFFENDERS, AS WELL AS SPECIALIZED TRAINING FOR STAFF PERSONS WORKING WITH THEM. THE RESPONDENTS FURTHER INDICATED THAT, IN THEIR OPINION, THE MOST NEEDED COMMUNITY BASED SERVICES FOR DEVELOPMENTALLY DISABLED OFFENDERS WERE SPECIALIZED LIVING ARRANGEMENTS, COUNSELING, EVALUATION, AND SHELTERED EMPLOYMENT, WITH EDUCATIONAL SERVICES AND INFORMATION AND REFERRAL SERVICES ALSO RANKING HIGH IN AGENCY SELECTIONS. (AUTHOR ABSTRACT)

76. **S. BORTHWICK, R. BUTKUS, and C. MILLER. TRACKING DEVELOPMENTALLY DISABLED CLIENTS—EVALUATION OF AN ENCODING APPROACH.** SAGE PUBLICATIONS, INC, 275 SOUTH BEVERLY DRIVE, BEVERLY HILLS CA 90212. *EVALUATION QUARTERLY,* V 3, N 2 (MAY 1979), P 256-262. **NCJ-57763**

THE RELIABILITY OF AN ENCODING SYSTEM DESIGNED TO MAKE POSSIBLE THE LINKAGE OF RECORDS FOR THE SAME CLIENT FROM DIFFERENT DATA FILES IS EVALUATED. THE PURPOSE OF RECORD LINKAGE IS TO ENABLE SERVICE PROVIDERS AND RESEARCHERS TO KEEP TRACK OF CLIENTS WHO RECEIVE SERVICES FROM MORE THAN ONE STATE OR AGENCY, OR WHO REAPPEAR WITHIN THE SAME AGENCY. THE ENCODING SYSTEM EVALUATED IS PART OF A CALIFORNIA PROJECT INVOLVING THE COLLECTION OF LONGITUDINAL AND CROSS-SECTIONAL DATA ON DEVELOPMENTALLY DISABLED CLIENTS OF PUBLIC AND COMMUNITY AGENCIES. THE SYSTEM, WHICH HAD BEEN IN USE FOR 4 YEARS AT THE TIME OF THE EVALUATION, IS BASED ON A THREE-ELEMENT 'TRACK NUMBER'--A CODIFICATION OF THE CLIENT'S NAME, SEX, AND BIRTHDATE. THE ACCURACY OF RECORD MATCHES OBTAINED WITH THE TRACK NUMBER WAS TESTED BOTH BETWEEN AGENCIES AND WITHIN A SINGLE AGENCY. THE FINDINGS DOCUMENT THE EFFECTIVENESS OF THE ENCODING SYSTEM IN MATCHING CLIENT RECORDS, AND POINT TO THE RELATIVE STRENGTHS AND WEAKNESSES OF EACH TRACK NUMBER ELEMENT AS A CONTRIBUTOR TO ACCURATE MATCHES. DETAILS OF TRACK NUMBER CONSTRUCTION, SUPPORTING DATA, AND A LIST OF REFERENCES ARE INCLUDED.

Sponsoring Agency: US DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, 330 INDEPENDENCE AVENUE, SW, WASHINGTON DC 20201.

77. **P. L. BROWNING, Ed. REHABILITATION AND THE RETARDED OFFENDER.** 359 p. 1976. **NCJ-37809**

A COLLECTION OF 11 ESSAYS WHICH OUTLINE THE PROBLEMS OF THE MENTALLY RETARDED OFFENDER WITHIN THE CRIMINAL JUSTICE SYSTEM AND REVIEW CORRECTIONAL AND REHABILITATIVE EFFORTS TO AID THESE PERSONS. THIS VOLUME BRINGS TOGETHER A BODY OF KNOWLEDGE ON THE MUCH-NEGLECTED TOPIC OF WHAT IS REFERRED TO AS THE NAIVE OR RETARDED OFFENDER. THE UNIQUE

COMPLEXITIES ASSOCIATED WITH THE REHABILITATION OF EITHER MENTALLY RETARDED PERSONS OR PUBLIC OFFENDERS ALONE ARE IMMENSE IN AND OF THEMSELVES. THESE PROBLEMS ARE MULTIPLIED WHEN THE TWO CONDITIONS MERGE INTO A STILL DIFFERENT POPULATION. EXPLORING THIS SUBJECT IN A THOROUGH AND SCHOLARLY MANNER ARE A NUMBER OF PROFESSIONALS FROM THE FIELDS OF PSYCHOLOGY, REHABILITATION, LAW AND THE CRIMINAL JUSTICE SYSTEM. THE FIRST SECTION PROVIDES THE READER WITH A FRAMEWORK FOR UNDERSTANDING THE NAIVE OR RETARDED OFFENDER WITHIN THE CRIMINAL JUSTICE SYSTEM. THREE OF THE MAJOR AREAS ADDRESSED ARE: IDENTIFICATION AND DESCRIPTION OF RETARDED OFFENDERS; THEIR CONSTITUTIONAL RIGHTS AND LITIGATION WITH RESPECT TO SUCH RIGHTS; AND THE LEGAL SYSTEM AND ITS PROBLEMS AND IMPLICATIONS FOR THIS GROUP. THE SECOND SECTION ENCAPSULATES THE PHILOSOPHY AND GOALS OF A RECENTLY COORDINATED EFFORT BY REHABILITATION AND CORRECTIONS PERSONNEL TO SERVE THE NEEDS OF HANDICAPPED PERSONS. RECOGNIZING THAT CORRECTIONAL REHABILITATION REFLECTS THE CONCEPTS OF REINTEGRATION AND RESTORATION RATHER THAN RETENTION AND RETRIBUTION. THIS SECTION DRAWS UPON A VARIETY OF PROGRAMS AND REHABILITATION INTERVENTION STRATEGIES WHICH ADDRESS THEMSELVES TO THIS SPECIAL POPULATION. THE CONCLUDING PART OF EACH SECTION IS COMPRISED OF A SPONTANEOUS DISCUSSION BY A VARIETY OF EXPERTS CONCERNED WITH THE RETARDED OFFENDER. IN ADDITION, THE TEXT CONTAINS 141 ANNOTATED REFERENCES ON THIS SPECIALIZED TOPIC. (AUTHOR ABSTRACT)

Availability: CHARLES C THOMAS, 301-327 EAST LAWRENCE AVENUE, SPRINGFIELD IL 62717.

78. **CANADIAN CRIMINOLOGY AND CORRECTIONS ASSOCIATION, 55 PARKDALE, OTTAWA, ONTARIO, CANADA K1Y 1E5. CANADIAN CONGRESS OF CRIMINOLOGY AND CORRECTIONS REGINA, SASKATCHEWAN, JUNE 24-29, 1973—PROCEEDINGS. (CONGRES CANADIEN DE CRIMINOLOGIE—REGINA, SASKATCHEWAN, 24-29 JUIN 1973—COMPTE RENDU.)** 291 p. 1973. Canada. (In *English* and *French*) **NCJ-19111**

TWENTY-SIX PAPERS DISCUSSING A BROAD RANGE OF CORRECTIONS TOPICS, SUCH AS CRIMINAL LAW REFORM, EFFECTS OF IMPRISONMENT, THE EFFICACY OF INCARCERATION AND FUTURE OF CORRECTIONS, AND COMMUNITY CORRECTIONAL RESOURCES. SOME OTHER TOPICS PRESENTED ARE CORRECTIONAL COUNSELING, MENTALLY RETARDED AND MENTALLY DISORDERED OFFENDERS, CORRECTIONAL WORK TRAINING, AND COMMUNITY CORRECTIONS FOR WOMEN.

Availability: CANADIAN CRIMINOLOGY AND CORRECTIONS ASSOCIATION, 55 PARKDALE, OTTAWA, ONTARIO, CANADA K1Y 1E5; NCJRS MICROFICHE PROGRAM.

79. **T. F. COURTLESS JR. ANALYSIS OF THE IMPACT OF CORRECTIONAL TREATMENT ON COMMITTED MENTALLY ABNORMAL OFFENDERS VIEWED IN TERMS OF AN OFFENDER TYPOLOGY—THE EFFECTS OF EXPOSURE TO PATUXENT INSTITUTION SOCIALIZATION LEVELS, INSTITUTIONAL ADJUSTMENT, AND PAROLE OUTCOME.** 185 p. 1966. **NCJ-49506**

THE EFFECTS OF TREATMENT IN A FACILITY FOR MENTALLY DEFECTIVE OFFENDERS ON CONFORMIST AND NONCONFORMIST INDIVIDUALS ARE EXPLORED. CONFORMIST OFFENDERS ARE THOSE WHOSE DELINQUENCY IS ANCHORED IN A CULTURAL MILIEU THAT IS IN CONFLICT WITH THE REST OF SOCIETY, WHEREAS NONCONFORMIST OFFENDERS ARE DEVIANT FROM SOCIETY AS INDIVIDUALS. THE STUDY TESTS FOUR HYPOTHESES: (1) THAT THE COMMITTED DEFECTIVE DELINQUENT POPULATION AT THE PATUXENT INSTITUTION IN MARYLAND ACTUALLY IS COMPOSED OF CONFORMIST AND NONCONFORMIST OFFENDERS AS WELL AS MENTALLY RETARDED OFFENDERS; (2) THAT CONFORMIST INMATES HAVE BEEN MORE EFFECTIVELY SOCIALIZED THAN NONCONFORMISTS; (3) THAT GROUP PSYCHOTHERAPY WILL BRING ABOUT CHANGES IN SOCIALIZATION AND OVERT BEHAVIOR AMONG NONCONFORMISTS; AND (4) THAT CONFORMIST AND NONCONFORMIST OFFENDERS WHO ARE RESOCIALIZED IN THE INSTITUTION WILL ADJUST BETTER IN THE FREE COMMUNITY WHILE ON PAROLE THAN THOSE WHO ARE NOT RESOCIALIZED. THE GOUGH SOCIALIZATION SCALE IS USED TO MEASURE DEGREE OF SOCIAL MATURITY, INTEGRITY, AND RECTITUDE. ADJUSTMENT IS MEASURED IN TERMS OF INSTITUTIONAL EMPLOYMENT, RULE INFRACTIONS, AND INCIDENT REPORTS. STUDY SUBJECTS INCLUDE 188 INCARCERATED MEN AND 75 PAROLED MEN. STUDY FINDINGS SUPPORT THE HYPOTHESIS THAT A PORTION OF THE DEFECTIVE DELINQUENT POPULATION AT PATUXENT ACTUALLY CONSISTS OF CONFORMIST OFFENDERS, I.E., NONEMOTIONALLY DISTURBED OFFENDERS WHOSE CRIMINAL CAREERS ARE DOMINATED BY PROPERTY OFFENSES. THIS FINDING CASTS DOUBT ON THE INSTITUTION'S CLASSIFICATION METHODS. ALMOST NO DIFFERENCE IN LEVEL OF SOCIALIZATION BETWEEN CONFORMISTS AND NONCOMFORMISTS IS FOUND. NONCONFORMISTS ACTUALLY SCORED SOMEWHAT HIGHER ON THE GOUGH SCALE THAN DID CONFORMISTS. HOWEVER, THERE WAS A DEFINITE TENDENCY AMONG NONWHITES FOR CONFORMISTS TO SCORE HIGHER THAN NONCONFORMISTS. AN ASSOCIATION BETWEEN EDUCATION AND LEVEL OF SOCIALIZATION IS FOUND. THE DATA INDICATE THAT EXPOSURE TO THE SPECIALIZED TREATMENT PROGRAM AT PATUXENT DOES NOT AFFECT EITHER SOCIALIZATION OR ADJUSTMENT LEVELS. DATA ON PAROLEES SUGGEST THAT CONFORMISTS ARE LESS FAILURE-PRONE THAN NONCONFORMISTS, BUT THAT ADJUSTMENT TO THE EXPECTATIONS OF INSTITUTION STAFF IS NOT A USEFUL PREDICTOR OF PAROLE OUTCOMES. IMPLICATIONS OF THESE AND OTHER FINDINGS ARE DISCUSSED. SUPPORTING DATA, STUDY INSTRUMENTS, AND A BIBLIOGRAPHY ARE INCLUDED.

Supplemental Notes: UNIVERSITY OF MARYLAND—DOCTORAL DISSERTATION.

Availability: UNIVERSITY MICROFILMS, 300 NORTH ZEEB ROAD, ANN ARBOR MI 48106. Stock Order No. 67-2381.

80. **J. G. CULL and R. E. HARDY, Eds. BEHAVIOR MODIFICATION IN REHABILITATION SETTINGS APPLIED PRINCIPLES.** 268 p. 1974. **NCJ-27275**

THIS TEXT IS A COMPENDIUM OF ELEVEN READINGS WHICH EMPHASIZE THE APPLICATION OF PRINCIPLES OF BEHAVIOR MODIFICATION IN VARIOUS PHASES OF REHABILITATION. THE BOOK COVERS THE FOLLOWING AREAS: APPLIED PRINCIPLES OF MODIFYING BEHAVIOR, A DESCRIPTION OF TOKEN ECONOMIES, MODELING IN PREVOCATIONAL TRAINING, PEER GROUP INFLUENCE IN BEHAVIOR MODIFICATION OF THE MENTALLY RETARDED, AND BEHAVIOR MODIFICATION PRINCIPLES ADAPTED TO COMPREHENSIVE REHABILITATION FACILITIES. ALSO CONSIDERED ARE PSYCHOLOGICAL SERVICES IN REHABILITATION SETTINGS, BEHAVIOR MODIFICATION PRINCIPLES WITH THE DISADVANTAGED AND THE DEPRIVED, THE USE OF MODELING TECHNIQUES IN REHABILITATION OF THE PUBLIC OFFENDER, BEHAVIOR MODIFICATION AND DELINQUENT YOUTH, THE USE OF BEHAVIOR MODIFICATION TECHNIQUES WITH THE MENTALLY ILL, BEHAVIORIAL GROUP THERAPY WITH ALCOHOL ABUSERS, AND SELF MODELING AS A BEHAVIOR MODIFICATION TECHNIQUE.

Availability: CHARLES C THOMAS, 301-327 EAST LAWRENCE AVENUE, SPRINGFIELD IL 62717.

81. **W. H. CULL, G. L. REUTHEBUCK, and N. PAPE. MENTALLY RETARDED OFFENDERS IN ADULT AND JUVENILE CORRECTIONAL INSTITUTIONS.** KENTUCKY LEGISLATIVE RESEARCH COMMISSION, STATE CAPITOL, FRANKFORT KY 40601. 175 p. 1975. **NCJ-32697**

A KENTUCKY STUDY TO DETERMINE WHAT SERVICES, FACILITIES, STAFF, VOCATIONAL TRAINING, AND PAROLE PROGRAMS ARE REQUIRED TO BETTER DEAL WITH MENTALLY RETARDED OFFENDERS CURRENTLY HOUSED IN STATE CORRECTIONAL INSTITUTIONS. KENTUCKY STATUTES MANDATE REHABILITATION AND NON-CRIMINAL HANDLING OF MENTALLY RETARDED OFFENDERS. THE STUDY FOUND, HOWEVER, NO CONSISTENT EFFORT TO SEGREGATE THE RETARDED AND PROVIDE REHABILITATIVE SERVICES. CREATION OF SPECIAL INSTITUTIONS, WITH PROPER STAFFING AND REHABILITATIVE AND VOCATIONAL PROGRAMS IS RECOMMENDED. THE STUDY CONCLUDES THAT CONTINUED INCARCERATION UNDER PRESENT CIRCUMSTANCES DENIES THE RETARDED THEIR RIGHT TO TREATMENT AND IS UNCONSTITUTIONAL IN THAT IT CONSTITUTES CRUEL AND UNUSUAL PUNISHMENT. TREATMENT PLANS AND STAFF REQUIREMENTS ARE SUGGESTED. SUPPORTIVE DATA ARE PRESENTED IN NUMEROUS TABLES AND APPENDIXES.

Availability: NCJRS MICROFICHE PROGRAM.

82. **M. FAULK. MENTALLY DISORDERED OFFENDERS IN AN INTERIM REGIONAL MEDIUM SECURE UNIT.** SWEET AND MAXWELL, 11 NEW FETTER LANE, LONDON, ENGLAND. *CRIMINAL LAW REVIEW*. (NOVEMBER 1979), P. 686-695. **NCJ-65295**

THIS PAPER OUTLINES THE WORK AND EFFECT OF A PSYCHIATRIC UNIT SET UP IN WESSEX, ENGLAND, TO DEAL WITH MENTALLY DISORDERED OFFENDERS REFUSED ADMISSION INTO LOCAL PSYCHIATRIC HOSPITALS BUT REQUIRING PSYCHIATRIC CARE. THE REASON MENTALLY DISORDERED OFFENDERS ARE FREQUENTLY NOT ACCEPTED INTO REGULAR PSYCHIATRIC HOSPITALS IS THAT ALTHOUGH NOT DANGEROUS ENOUGH TO REQUIRE SPECIAL SECURITY HOSPITALIZATION, THEY ARE NEVERTHELESS TOO DIFFICULT AND DANGEROUS TO BE MANAGED IN A MODERN PSYCHIATRIC HOSPITAL WHERE INFORMALITY AND FREEDOM ARE EMPHASIZED. CATEGORIES OF MENTAL DISORDER INCLUDE MENTAL ILLNESS, PSYCHOPATHIC DISORDER, SUBNORMALITY, AND OTHER DISORDERS OR DISABILITIES OF THE MIND. A SMALL PROPORTION OF CONVICTED OFFENDERS ARE MENTALLY DISORDERED WHOSE CARE PRESENTS ADMINISTRATIVE PROBLEMS BECAUSE OF INADEQUATE FACILITIES. REGIONAL MEDIUM SECURE UNITS WERE PROPOSED, AND THEIR IMPLEMENTATION BEGAN WITH INTERIM UNITS LIKE THE ONE DESCRIBED. THE UNIT IS HOUSED IN A CONVERTED HOSPITAL WARD AND CAN ACCEPT 14 INPATIENTS AND 10 DAY PATIENTS. SUPPORT FOR PATIENTS IN THE COMMUNITY IS PROVIDED THROUGH COMMUNITY NURSES AND THE OUTPATIENT FACILITIES. ALTHOUGH THE FACILITY CAN BE LOCKED, THE UNIT IS USUALLY RUN AS AN OPEN WARD. SECURITY IS MAINTAINED BY A MUCH HIGHER STAFFING RATIO THAN IN CONVENTIONAL PSYCHIATRIC HOSPITALS. MOST OF THE PATIENTS ARE ON CONTROLLED PAROLE. THEY ARE ACCEPTED IF THEY ARE MENTALLY ILL AND IN NEED OF HOSPITAL TREATMENT BUT TOO DANGEROUS OR DIFFICULT TO MANAGE IN AN ORDINARY PSYCHIATRIC WARD. THE PATIENTS ARE EITHER LEGALLY DETAINED OR ARE WILLING TO STAY AS INFORMAL PATIENTS OR AS A CONDITION OF PROBATION. BETWEEN JANUARY 1977 AND APRIL 1979 A TOTAL OF 97 ADMISSIONS WERE MADE, AND THE LENGTH OF TREATMENT RANGED FROM A FEW DAYS TO ALMOST 2 YEARS. THE SERVICE FILLED THE SPECIFIC NEED FOR WHICH IT WAS INSTITUTED, BUT THE DIFFICULTY OF DECIDING BETWEEN PENAL OR PSYCHIATRIC TREATMENT CONTINUES TO BE A PROBLEM. FOOTNOTES ARE INCLUDED.

83. **N. E. FROWLEY, K. P. OLSEN, and V. L. GAMBALE. BRONX COUNTY—DISTRICT ATTORNEY—REPORT CONCERNING THE CUSTODY AND CARE OF THE MENTALLY DISABLED CRIMINAL IN NEW YORK.** BRONX COUNTY OFFICE OF THE DISTRICT ATTORNEY MAJOR OFFENSE BUREAU, BRONX NY 10451. 179 p. 1975. **NCJ-25192**

OVERVIEW OF PROCEDURES, PROGRAMS, TREATMENT METHODS, SECURITY PRACTICES, TRAINING PROGRAMS, AND FACILITIES OF THE BRONX PSYCHIATRIC CENTER AND OF THE RELATED SYSTEM OF STATE AND CITY AGENCIES. THE REPORT CONCLUDED THAT THE FUNDAMENTAL REASON FOR THE BRONX PSYCHIATRIC CENTER'S DIFFICULTIES IN DEALING WITH THE CRIMINALLY COMMITTED WAS THE FACT THAT THE REMAINDER OF THE SYSTEM OF STATE AND LOCAL AGENCIES HAD TO SOME MEASURE FAILED IN EFFECTUATING APPROPRIATE SCREENING AND TREATMENT OF THOSE MENTALLY DISTURBED INDIVIDUALS CHARGED WITH CRIMES. IT ALSO CONCLUDED THAT ONE CENTRALIZED AUTHORITY IS NEEDED TO COORDINATE ALL SERVICES, PROGRAMS, FACILITIES AND PERSONNEL ENGAGED IN FORENSIC PSYCHIATRIC SERVICES AND TO PROVIDE REFERRAL SERVICES FOR ALL THOSE MENTALLY ILL PERSONS INVOLVED WITH THE CRIMINAL JUSTICE PROCESS. THIS COORDINATOR AND OVERSEER WOULD DEVELOP PROGRAMS AND DISSEMINATE INFORMATION CONCERNING SERVICES AVAILABLE TO THE MENTALLY DISABLED DEFENDANT AND CONVICT. HE WOULD HAVE SUPREME AUTHORITY IN THIS AREA OF MENTAL HEALTH SERVICES IN THE CITY, FUNDED BY BOTH THE CITY AND STATE. (AUTHOR ABSTRACT)

Availability: NCJRS MICROFICHE PROGRAM.

84. **J. GUNN, G. ROBERTSON, S. DELL, and C. WAY. PSYCHIATRIC ASPECTS OF IMPRISONMENT.** ACADEMIC PRESS LTD, 24-28 OVAL ROAD, LONDON NW1, ENGLAND. 318 p. 1978. United Kingdom. **NCJ-57353**

IN EXAMINING THE VARIOUS ASPECTS OF PRISON PSYCHIATRY AS PRACTICED IN BRITAIN, THIS STUDY FOCUSES ON THE TREATMENT METHODS USED IN THE GRENDON PSYCHIATRIC PRISON AND THEIR RESULTS AS COMPARED WITH THOSE USED AT WORMWOOD SCRUBS. THE STUDY BEGINS WITH A HISTORICAL ANALYSIS OF BRITISH PRISON PSYCHIATRY AND MEDICINE, HIGHLIGHTING SUCH SIGNIFICANT EVENTS AS THE GLADSTONE COMMITTEE RECOMMENDATIONS THAT PRISONERS BE GIVEN TREATMENT, THE REMOVAL OF MENTAL DEFECTIVES FROM THE PRISON SYSTEM IN THE EARLY 1900'S, THE BEGINNINGS OF PSYCHOTHERAPY, AND POST SECOND WORLD WAR DEVELOPMENTS. IN THE 1930'S, DR. W.H. DE HUBERT CARRIED ON A 4-YEAR INVESTIGATION INTO PSYCHIATRIC AND PSYCHOTHERAPEUTIC TREATMENT OF PRISONERS AND ISSUED THE EAST-HUBERT REPORT WITH FULL CASE HISTORIES OF PATIENTS AND RECOMMENDATIONS FOR THE ESTABLISHMENT OF PSYCHIATRIC PRISONS. THE GRENDON PSYCHIATRIC PRISON AT GRENDON UNDERWOOD, BUCKINGHAMSHIRE, WAS BUILT IN 1962 IN RESPONSE TO THIS REPORT. ITS PURPOSE WAS TO INVESTIGATE AND TREAT MENTAL DISORDERS RESPONSIVE TO TREATMENT, INVESTIGATE OFFENDERS WHOSE OFFENSES SUGGESTED MENTAL MORBIDITY, AND EXPLORE THE PROBLEM OF DEALING WITH PSYCHOPATHS. THE TYPICAL POPULATION AND REGIME AT GRENDON IS DESCRIBED; GROUP THERAPY IS THE BASIS OF TREATMENT AND RELATIONSHIPS BETWEEN STAFF AND PRISONERS ARE RELAXED. THE GRENDON MODE OF TREATMENT APPEARS TO BE SUCCESSFUL; LARGE POSITIVE CHANGES WERE RECORDED IN 48 PRISONERS' PSYCHIATRIC STATE, PERSONALITY AND ATTITUDES, AND SYMPTOMATOLOGY AFTER 2 YEARS (AS INDICATED BY A VARIETY OF PSYCHIATRIC TESTS, INTERVIEWS AND A SURVEY). IN CONTRAST, 44 PATIENTS AT WORMWOOD SCRUBS WHO WERE EXPOSED TO A MORE TRADITIONAL MODE OF INDIVIDUAL TREATMENT WITHIN A NORMAL PRISON ENVIRONMENT SHOWED IMPROVEMENT IN

PSYCHIATRIC STATE AND SYMPTOMATOLOGY, BUT LITTLE IMPROVEMENT IN ATTITUDE. A FOLLOWUP ANALYSIS DISCUSSES THE RELEVANCE OF RECONVICTION RATES TO BOTH THE GRENDON AND WORMWOOD SCRUBS METHODS OF TREATMENT. THE BOOK ENDS WITH A SURVEY OF THE NUMBER OF PSYCHIATRIC CASES TO BE FOUND IN THE PRISON POPULATIONS IN BRITAIN, AND AN EXPLANATION OF PSYCHIATRIC DATA FROM THE SURVEY. A BIBLIOGRAPHY, INFORMATION ON RESEARCH METHODS, FINDINGS FROM PREVIOUS STUDIES OF A SIMILAR NATURE, AND STUDY INSTRUMENTS AND DATA ARE PROVIDED.

Availability: ACADEMIC PRESS, INC, 111 FIFTH AVENUE, NEW YORK NY 10003.

85. **N. F. HAHN. DEFECTIVE DELINQUENCY MOVEMENT—A HISTORY OF THE BORN CRIMINAL IN NEW YORK STATE.** 621 p. 1978. **NCJ-58126**

THE DEFECTIVE DELINQUENCY MOVEMENT, CHARACTERIZED BY ITS ATTEMPTS TO EQUATE MENTAL RETARDATION AND CRIMINALITY, IS DESCRIBED IN THREE STAGES: ITS ORIGIN IN THE LATE 1800'S; ITS PEAK PERIOD, 1900 TO 1921; AND AFTER NEW YORK'S DEFECTIVE DELINQUENT LEGISLATION OF 1921 AUTHORIZED INDEFINITE COMMITMENT OF MENTAL DEFECTIVES OVER 16 YEARS OF AGE CHARGED WITH, ARRAIGNED FOR, OR CONVICTED OF CRIMINAL OFFENSES. USING THIS LEGISLATION AS A FOCAL POINT, THIS PAPER IDENTIFIES A VARIETY OF SOCIOHISTORICAL FACTORS WHICH CONTRIBUTED TO THE CONCEPT BEHIND THIS LEGISLATION AND ASSESSES THE EFFECTS OF THE DEFECTIVE DELINQUENCY MOVEMENT IN SYMBOLIC AND INSTRUMENTAL TERMS. THE STUDY BEGINS WITH A HISTORY OF THE INSTITUTIONAL SYSTEM FOR THE MENTALLY RETARDED; IT IS ARGUED THAT THE FIRST INSTITUTIONS AND SOME OF THEIR FOUNDERS CONTRIBUTED TO THE CONCEPT OF CRIMINALIZATION OF LOW INTELLIGENCE. A PARALLEL ANALYSIS OF DEVELOPMENTS IN THE PRISON SYSTEM INDICATES HOW THE REFORMATORY MOVEMENT FUNCTIONED TO CREATE A BOTTOM CLASS OF 'INCORRIGIBLES' WHO SEEMED TO BE MENTALLY AS WELL AS MORALLY HOPELESS. THIS SECTION CONCLUDES WITH AN EXAMINATION OF SOCIAL CHARACTERISTICS OF LEADERS WHO BROUGHT TOGETHER THE THEORIES DEVELOPING IN THE MENTAL RETARDATION AND CRIMINAL SYSTEM. THE SECOND SECTION CONTINUES THE EXAMINATION OF INTERPLAYING FACTORS--ECONOMIC INSTABILITY, POLITICAL AND RACIAL ANXIETIES--INFLUENCING THE NOW WIDESPREAD BELIEF THAT MENTAL DEFECTIVES ARE DELINQUENTS. INTELLIGENCE TESTING WAS USED BY REFORMERS TO CONFIRM THE DEFECTIVE DELINQUENT THEORY, AND FURTHER CONFIRMATION WAS FURNISHED BY THE EUGENICS MOVEMENT. A CLINIC MOVEMENT (A CRIME CONTROL PROGRAM WHICH JUSTIFIED INSTITUTIONALIZATION FOR DEFECTIVES BY TRANSLATING INTO PRACTICE THE 'MEDICAL MODEL' OF THE CRIMINAL AS ONE WHO IS SICK) RESULTED IN FINANCED MENTAL TESTING AND OTHER PROGRAMS INSIDE THE CRIMINAL JUSTICE SYSTEM AND LOBBYING EFFORTS CULMINATING IN THE 1921 NEW YORK LAW. THE THIRD SECTION CONCENTRATES ON THE MOVEMENT'S INSTRUMENTAL EFFECTS--I.E., THOSE MANIFESTED IN INCARCERATION. THESE ARE ASSESSED THROUGH A HISTORY OF NEW YORK'S INSTITUTIONS FOR DEFECTIVE DELINQUENTS; THE MOVEMENTS'S IMPACTS ON OTHER STATES ARE ALSO EXAMINED. A SYNTHESIS OF THE DURKHEIMIAN AND MARXIST THEORIES OF PUNISHMENT IS RECOMMENDED. REFERENCES ARE PROVIDED. (AUTHOR ABSTRACT MODIFIED)

Supplemental Notes: STATE UNIVERSITY OF NEW YORK AT ALBANY—DOCTORAL DISSERTATION.

Availability: UNIVERSITY MICROFILMS, 300 NORTH ZEEB ROAD, ANN ARBOR MI 48106. Stock Order No. 7814336.

86. **W. HART. WARNING—PRISON MEDICAL CARE MAY BE HAZARDOUS TO YOUR HEALTH.** CRIMINAL JUSTICE PUBLICATIONS, INC, 801 SECOND AVENUE, NEW YORK NY 10017. *CORRECTIONS MAGAZINE*, V 5, N 3 (SEPTEMBER 1979), P 4-11. **NCJ-60842**

THE QUALITY OF CORRECTIONAL HEALTH CARE FOR INMATES IS EXAMINED, WITH PARTICULAR REFERENCE TO THE SOPHISTICATED SYSTEM IN MINNESOTA AND MEDICAL SETBACKS AND ADVANCES IN VIRGINIA AND MICHIGAN. SUBSTANDARD MEDICAL PRACTICES IN THE NATION'S PRISONS ARE AMONG THE PRIMARY COMPLAINTS OF INMATES. FOLLOWING NEWMAN V. ALABAMA (1974), THE LANDMARK FEDERAL DECISION MARKING THE END OF JUDICIAL TOLERANCE OF INADEQUATE PRISON MEDICAL CARE, ATTORNEYS FOR THE AMERICAN CIVIL LIBERTIES UNION REPORT THAT 8 STATES HAVE ALREADY LOST OR SETTLED PRISON-RELATED LAWSUITS THAT INVOLVE INADEQUATE HEALTH CARE, WITH ANOTHER 11 STATES CURRENTLY FACING SUCH SUITS. THE INADEQUACY OF PRISON HEALTH CARE IS NOT SURPRISING GIVEN THE INSUFFICIENT FUNDING, THE DIFFICULTY OF RECRUITING HIGHLY-QUALIFIED DOCTORS AND NURSES, AND THE OFTEN OVERRIDING CUSTODY CONCERNS. ALTHOUGH NO DEFINITIVE STUDY HAS BEEN DONE, MOST PRISON MEDICAL EXPERTS INDICATE THAT INMATES ARE MORE IN NEED OF HEALTH CARE THAN THE POPULATION AS A WHOLE BECAUSE OF THEIR SOCIOECONOMIC BACKGROUNDS AND THE STRESS OF A HIGH-PRESSURE PRISON ENVIRONMENT. MINNESOTA'S RESPONSE TO THIS PROBLEM IS DEMONSTRATED AT THE MINNESOTA STATE PRISON AT STILLWATER, WHICH HAS A FULL-TIME PHYSICIAN AND DENTAL, PSYCHOLOGICAL, PHARMACEUTICAL, LABORATORY, AND X-RAY SERVICES, AS WELL AS 24-HOUR COVERAGE BY REGISTERED NURSES. THE 12-BED INFIRMARY HAS PART-TIME PSYCHIATRIC, RADIOLOGICAL, PHYSICAL THERAPY, DIETARY, AND OPTOMETRY SERVICES. IN CONTRAST TO THE MINNESOTA PRISON, THE VIRGINIA STATE PENITENTIARY IN RICHMOND HAS A LACK OF STAFF AND RESOURCES, USES UNTRAINED INMATE NURSES, AND IS PLAGUED BY POOR RECORDKEEPING, GARBLED COMMUNICATION AMONG HEALTH-CARE OFFICIALS, AND NO CONTINUITY OF CARE. THE CASE OF HENRY TUCKER, AN INMATE LEFT DISABLED BECAUSE OF HIS MISTREATMENT AT THE INSTITUTION TESTIFIES TO THE DEFICIENCIES. SOMEWHERE BETWEEN MINNESOTA'S RAPID ADVANCES AND VIRGINIA'S SLOW MOVEMENT TOWARDS MINIMUM HEALTH-CARE STANDARDS IS MICHIGAN, WHICH HARBORS THE COUNTRY'S FIFTH HIGHEST STATE PRISON POPULATION. ADVANCES IN MICHIGAN'S PRISON MEDICAL STANDARDS ARE DISCUSSED AS WELL AS THE ACTIVITIES AND GUIDELINES OF THE AMERICAN CORRECTIONAL ASSOCIATION AND THE AMERICAN MEDICAL ASSOCIATION. PHOTOGRAPHS ARE INCLUDED.

Supplemental Notes: PRICE QUOTED IS FOR ENTIRE ISSUE. REPRINTS OF ARTICLES AVAILABLE IN LARGE QUANTITIES.

Availability: CRIMINAL JUSTICE PUBLICATIONS, INC, 801 SECOND AVENUE, NEW YORK NY 10017.

87. **J. C. JACKS. CORRECTIONAL REHABILITATION.** US DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, 330 INDEPENDENCE AVENUE, SW, WASHINGTON DC 20201. 42 p. 1969. **NCJ-08504**

VOCATIONAL REHABILITATION SERVICES FUNDED BY THE FEDERAL GOVERNMENT TO MEET THE NEEDS OF PHYSICALLY AND MENTALLY DISABLED OFFENDERS. THE VARIOUS PROJECTS ARE LISTED BY TYPE OF ACTIVITY AND GEOGRAPHICAL LOCATION. GRANTS WERE GIVEN FOR BOTH ACTION PROGRAMS AND RESEARCH. THERE ARE LISTINGS OF PERSONNEL WHO ARE RESPONSIBLE FOR STATE CORRECTIONAL REHABILITATION AND FOR SUPERVISION OF THE HANDICAPPED. A BIBLIOGRAPHY IS INCLUDED.

88. **R. S. JANOWITZ. CORRECTION IN NEW YORK STATE INSTITUTIONS, 1945-1968, AND VOCATIONAL REHABILITATION—A SYNTHESIS.** 668 p. 1972. **NCJ-14057**

TREATS THE ORIGINS AND DEVELOPMENT OF THE REHABILITATION MOVEMENT TO 1941, THE IMPACT OF WAR ON THE STATE SYSTEM, 1941-1945, AND POSTWAR TRENDS, WITH PARTICULAR EMPHASIS ON A VOCATIONAL REHABILITATION MODEL. A SURVEY OF THE REHABILITATION CONCEPT AS APPLIED WITH THE PHYSICALLY HANDICAPPED PROVIDES THE MATERIAL FROM WHICH A TENTATIVE FORMULATION FOR AN APPROACH TO CORRECTIONS IS DEVELOPED. A SYNTHESIS OF CORRECTIONAL AND VOCATIONAL REHABILITATION IS PROPOSED IN A MODEL FOR VOCATIONAL REHABILITATION SERVICES IN A STATE INSTITUTION. MANY OBSTACLES TO CORRECTIONAL REHABILITATION ARE NOTED, INCLUDING UNSUITABLE LIVING QUARTERS, INADEQUATE PERSONNEL, INADEQUATE SEGREGATION OF INMATES, INSTITUTIONAL UNEMPLOYMENT, AND THE MONOTONY AND GENERAL OPPRESSIVENESS OF MUCH OF INSTITUTIONAL LIFE.

Supplemental Notes: DISSERTATION—NEW YORK UNIVERSITY.

Availability: UNIVERSITY MICROFILMS, 300 NORTH ZEEB ROAD, ANN ARBOR MI 48106; NCJRS MICROFICHE PROGRAM.

89. **N. R. KURTZ. SPECIALLY LABELED OFFENDERS AND COMMUNITY ASSISTANTS EVALUATION OF THE MASSCAP (MASSACHUSETTS COMMUNITY ASSISTANCE PAROLE PROJECT) DEMONSTRATION—FINAL REPORT.** MASSACHUSETTS PAROLE BOARD, 100 CAMBRIDGE STREET, BOSTON MA 02202. 95 p. 1977. **NCJ-45628**

AN EVALUATION OF A PROGRAM ASSIGNING VOLUNTEER COMMUNITY ASSISTANTS TO WORK WITH PAROLEES LABELED 'SLOW' OR 'DEFECTIVE DELINQUENT' IS PRESENTED. THE MASSACHUSETTS COMMUNITY ASSISTANCE PROGRAM (MASSCAP) ASSIGNED VOLUNTEER COMMUNITY ASSISTANTS TO SPECIALLY LABELED OFFENDERS PAROLED FROM THE MASSACHUSETTS CORRECTIONS SYSTEM. THE PROGRAM WAS MODELED ON CITIZEN ADVOCATE PROGRAMS DEVELOPED FOR MENTALLY RETARDED PERSONS. THE EVALUATION CONSISTED OF A QUASI-EXPERIMENTAL DESIGN IN WHICH 37 PARTICIPANTS IN THE DEMONSTRATION PROJECT WERE COMPARED WITH A CONTROL GROUP OF 37 SIMILAR SPECIALLY LABELED OFFENDERS RELEASED UNDER TRADITIONAL PAROLE ARRANGEMENTS. THE STUDY HYPOTHESIS WAS THAT COMMUNITY ASSISTANTS WOULD SIGNIFICANTLY IMPROVE THE PAROLE SUCCESS OF SPECIALLY LABELED OFFENDERS. EXPERIMENTAL AND CONTROL GROUP MEMBERS RECEIVED SIMILAR SCORES ON THE ADAPTIVE BEHAVIOR SCALES OF THE AMERICAN ASSOCIATION ON MENTAL DEFICIENCY AND SHOWED SIMILAR ATTRIBUTES, SOCIAL CHARACTERISTICS, AND PAST EXPERIENCES, INDICATING THAT THE TWO GROUPS WERE EQUIVALENT, BASED ON THESE MEASURES. EVALUATION OF THE PAROLE EXPERIENCE OF THE EXPERIMENTAL AND CONTROL GROUPS INDICATED NO DIFFERENCES, SUGGESTING THAT, IN TERMS OF THE MEASURE USED HERE (NUMBER OF DAYS ON PAROLE AND PAROLE SUCCESS), COMMUNITY ASSISTANTS HAD NO SIGNIFICANT IMPACT ON SPECIALLY LABELED OFFENDERS. IN A REVIEW OF THE ORIGINAL ADVOCACY MODEL AND THE MASSCAP PROGRAM, THE AUTHOR CONTENDS THAT THE PROGRAM COULD PROVE MORE EFFECTIVE IF IT IS MODIFIED AND STRENGTHENED TO GIVE CONSIDERATION TO THE SPECIAL CHARACTERISTICS AND PROBLEMS OF SPECIALLY LABELED OFFENDERS. (AUTHOR ABSTRACT MODIFIED)

Sponsoring Agency: US DEPARTMENT OF JUSTICE LEAA NATIONAL INSTITUTE OF LAW ENFORCEMENT AND CRIMINAL JUSTICE, 633 INDIANA AVENUE NW, WASHINGTON, DC 20531.

90. **MASSACHUSETTS COMMITTEE ON CRIMINAL JUSTICE, 110 TREMONT STREET, BOSTON MA 02108. MASSACHUSETTS—COMPREHENSIVE CRIMINAL JUSTICE PLAN PROGRAM DESCRIPTIONS AND FUNDING ALLOCATIONS, 1978.** 167 p. 1978. **NCJ-54429**

MASSACHUSETTS' COMMITTEE ON CRIMINAL JUSTICE ANNUALLY RECEIVES CRIMINAL JUSTICE FUNDING FROM THE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION. THE COMMITTEE'S PLANNING PROCESS AND PROGRAMS ARE DETAILED. THE 1978 PLANNING PROCESS BEGAN WITH A POLLING OF CRIMINAL JUSTICE OFFICIALS. A MEETING FOLLOWED IN WHICH PRIORITY AREAS WERE DETERMINED. THE AREAS AGREED UPON BY THE COMMITTEE INCLUDED COMMUNITY CRIME PREVENTION, COURT BACKLOG AND DELAY, DISPARITY IN SENTENCING, DRUG AND ALCOHOL ABUSE, DEVELOPMENTAL DISABILITIES AMONG OFFENDERS, MANPOWER SERVICES, AND SERVICES FOR CHILDREN. RESEARCH WAS THEN CONDUCTED TO HELP DEVELOP GUIDELINES FOR THOSE RECEIVING FUNDS. THE ALLOCATION OF FUNDS WAS PERFORMED ON A COMPETITIVE BASIS. PROGRAMS FUNDED WERE BROKEN DOWN INTO SIX CATEGORIES: (1) POLICE SERVICES AND CRIME PREVENTION; (2) PROSECUTION, DEFENSE, AND COURT ADMINISTRATION; (3) PROBATION AND DIVERSION; (4) ADULT CORRECTIONS AND PAROLE; (5) JUVENILE JUSTICE PROGRAMS; AND (6) CRIMINAL JUSTICE SERVICES. IN THE AREA OF POLICE SERVICES THE FOLLOWING PROGRAMS WERE RECOMMENDED FOR SUPPORT: (1) POLICE TRAINING; (2) TECHNICAL ASSISTANCE; (3) CRIME ANALYSIS; (4) RESOURCE ALLOCATION; (5) INVESTIGATIVE SKILLS; (6) COMMUNITY PROGRAMS; AND (7) COMMUNICATIONS. THE COMMITTEE'S MAJOR CONCERN IN SUPPORTING PROGRAMS IN THE COURTS AREA WAS TO IMPROVE THE ABILITIES OF THE COMMONWEALTH'S JUDGES, PROSECUTORS, AND PUBLIC DEFENDERS TO RESPOND MORE EFFECTIVELY TO THE HIGH CASELOADS RESULTING FROM AN INCREASE IN CRIME. EFFORTS IN THE PROBATION AND DIVERSION AREA CONSISTED OF ATTEMPTS TO INCREASE THE ABILITY OF PROBATION TO PROVIDE LEGITIMATE AND EFFECTIVE ALTERNATIVES TO INCARCERATION. IN THE ADULT CORRECTIONS AND PAROLE AREA, A MAJOR CONCERN WAS DEINSTITUTIONALIZATION. JUVENILE JUSTICE PROGRAMS SOUGHT TO HUMANIZE THEIR EFFORTS BY DIVERTING APPROPRIATE YOUTH FROM THE CRIMINAL JUSTICE SYSTEM. FINALLY, IN THE AREA OF CRIMINAL JUSTICE SERVICES, A PRIMARY GOAL WAS THE IMPROVED COORDINATION AND COOPERATION OF THE SYSTEM AS A WHOLE. TABLES ARE INCLUDED.

Availability: NCJRS MICROFICHE PROGRAM.

91. **F. J. MENOLASCINO. SYSTEM OF SERVICES FOR THE MENTALLY RETARDED OFFENDER.** NATIONAL COUNCIL ON CRIME AND DELINQUENCY, CONTINENTAL PLAZA, 411 HACKENSACK AVENUE, HACKENSACK NJ 07601. *CRIME AND DELINQUENCY*, V 21, N 1 (JANUARY 1975), P 57-64. **NCJ-16849**

THIS ARTICLE PROPOSES A SYSTEM OF SERVICES THAT USES CORRECTIONAL METHODS IN A COMMUNITY-BASED SETTING TO HELP MEET THE INDIVIDUAL NEEDS OF THE RETARDED OFFENDER. THE FIRST STEP IS TO CLASSIFY RETARDED OFFENDERS INTO ONE OF THE TWO CATEGORIES OF MENTALLY ADOLESCENTS OR ADULTS. ONCE THIS IS DONE, AN EFFECTIVE SERVICE PROGRAM INCLUDING THE ELEMENTS OF PREVENTION, ADVOCACY AND TREATMENT CAN BE IMPLEMENTED. THE AUTHOR DOES NOT ELABORATE EXTENSIVELY ON THIS PLAN.

92. **MISSOURI ASSOCIATION FOR RETARDED CITIZENS, INC. MENTALLY RETARDED OFFENDER IN MISSOURI WITH RECOMMENDATIONS FOR A STATE-WIDE SYSTEM OF SERVICES.** 94 p. 1976. **NCJ-39004**

STUDY DRAWS CONCLUSIONS FROM SURVEY AND RESEARCH ON INCARCERATED MENTALLY RETARDED AND

PROJECT METHODS TO AID AND ENSURE THEIR RIGHTS. INCARCERATED MENTALLY RETARDED OFFENDERS ARE GENERALLY OLDER THAN OTHER OFFENDERS. THEY AVERAGE TWO TO THREE YEARS LESS FORMAL EDUCATION. TWO-THIRDS OF ALL LAWYERS HAVE HAD NO TRAINING CONCERNING MENTAL RETARDATION. SIXTY-ONE PERCENT OF JUDGES BELIEVE THAT USING MENTAL RETARDATION AS A DEFENSE IS DETRIMENTAL BECAUSE IT CAN LEAD TO INDETERMINATE SENTENCES. THIS SAMPLE AND OTHER FINDINGS ARE COMPOUNDED IN THIS SURVEY WHICH RECOMMENDS NUMEROUS SERVICES CATERING TO THE MENTALLY RETARDED OFFENDER. AMONG THE MISSOURI ASSOCIATION FOR RETARDED CITIZENS RECOMMENDATIONS ARE: INCREASED AFTERCARE; RETARDATION SPECIALISTS DOING THE COURT DIAGNOSES; PROBATION AND PAROLE OFFICERS TRAINED IN MENTAL RETARDATION; AND STATEWIDE TRAINING FOR POLICE OFFICERS, COURT PERSONNEL, AND PUBLIC DEFENDERS IN MENTAL RETARDATION AND ITS EFFECTS.

Sponsoring Agency: MISSOURI DEPARTMENT OF PUBLIC HEALTH, BOX 570, BROADWAY BUILDING, JEFFERSON CITY MO 65101.

Availability: NCJRS MICROFICHE PROGRAM.

93. **NATIONAL COUNCIL ON CRIME AND DELINQUENCY, CONTINENTAL PLAZA, 411 HACKENSACK AVENUE, HACKENSACK NJ 07601; AMERICAN CORRECTIONAL ASSOCIATION, 4321 HARTWICK ROAD, COLLEGE PARK MD 20740. STANDARD ACT FOR STATE CORRECTIONAL SERVICES—1966.** 35 p. 1966. **NCJ-58853**

A MODEL LAW TO GUIDE STATES IN ESTABLISHING AND ADMINISTERING DEPARTMENTS OF CORRECTIONS, ISSUED JOINTLY IN 1966 BY THE NATIONAL COUNCIL ON CRIME AND DELINQUENCY AND THE AMERICAN CORRECTIONAL ASSOCIATION, IS PRESENTED. THE STANDARD ACT FOR STATE CORRECTIONAL SERVICES WAS THE FIRST FORMULATION OF STATUTORY MODELS TO BE PUBLISHED IN THE FIELD OF CORRECTIONS. IT PROVIDES LEGISLATIVE MODELS FOR THE STRUCTURE OF STATE DEPARTMENTS OF CORRECTIONAL SERVICES AND FOR THE ADMINISTRATION OF CORRECTIONAL SERVICES FOR ADULTS AND YOUTHS. ALTHOUGH THE ACT DOES ADDRESS CORRECTIONAL SERVICES IN THE COMMUNITY, ITS PRINCIPAL PROVISIONS DEAL WITH INSTITUTIONS. BECAUSE THE MEMBERS OF THE DRAFTING COMMITTEE WERE SELECTED PRIMARILY FOR THEIR EXPERTISE IN ADULT CORRECTIONS AND STATE GOVERNMENT, DETAILED PROVISIONS FOR THE ADMINISTRATION OF JUVENILE TRAINING SCHOOLS AND AFTERCARE ARE NOT INCLUDED. (TRAINING SCHOOLS AND AFTERCARE ARE DISCUSSED IN THE COMMENTS THAT ACCOMPANY EACH SECTION OF THE ACT). THE ACT'S ARTICLES AND SECTIONS COVER THE FOLLOWING: (1) CONSTRUCTION AND PURPOSE, (2) ORGANIZATION OF THE DEPARTMENT (ALTERNATIVE ARRANGEMENTS OF INSTITUTIONS AND SERVICES, PERSONNEL, ADMINISTRATIVE STRUCTURE, RESEARCH, STATISTICS, PLANNING, REPORTS, COOPERATION WITH OTHER DEPARTMENTS AND AGENCIES), (3) INSTITUTIONAL ADMINISTRATION (COMMITMENT, TRANSFERS, TREATMENT OF MENTALLY ILL AND MENTALLY RETARDED INMATES, DIAGNOSTIC CENTERS), (4) TREATMENT OF INMATES (CLASSIFICATION AND TREATMENT PROGRAMS, WORK AND ALLOWANCES, DISCIPLINE, MEDICAL CARE, TEMPORARY RELEASES, CONTACTS WITH PERSONS OUTSIDE THE INSTITUTION, GOOD BEHAVIOR ALLOWANCE, DISCHARGE ALLOWANCE AND LOANS), (5) INTERSTATE RELATIONS AND DETAINERS, AND (6) APPLICATION OF THE ACT.

94. **J. H. NOBLE JR. LIMITS OF COST-BENEFIT ANALYSIS AS A GUIDE TO PRIORITY-SETTING IN REHABILITATION.** SAGE PUBLICATIONS, INC, 275 SOUTH BEVERLY DRIVE, BEVERLY HILLS CA 90212 *EVALUATION QUARTERLY*. V 1, N 3 (AUGUST 1977), P 347-380. **NCJ-56270**

THE VALIDITY OF USING MATHEMATICALLY-BASED COST-BENEFIT ANALYSIS FOR SETTING PRIORITIES FOR REHABILITATION PROGRAMS IS EXAMINED USING 18 COST-BENEFIT STUDIES. THE FEDERAL-STATE REHABILITATION PROGRAM OFFERS GRANTS-IN-AID TO STATES ON AN 80-PERCENT MATCHING BASIS TO HELP STATES MEET THE COST OF PROVIDING REHABILITATION SERVICES TO PERSONS WITH PHYSICAL OR MENTAL IMPAIRMENTS PRESENTING A SUBSTANTIAL HANDICAP TO GAINFUL EMPLOYMENT. COSTS OF REHABILITATION INCLUDE NOT ONLY PROGRAM COSTS (CASE SERVICE EXPENDITURES, ADMINISTRATIVE COSTS, AND OVERHEAD COSTS) BUT ALSO SOCIAL OR OPPORTUNITY COSTS OF REHABILITATION. AGGREGATE BENEFITS OF REHABILITATION ARE EVALUATED USING A MATHEMATICAL MODEL THAT EMBODIES SUCH VARIABLES AS EXPECTED EARNINGS, SURVIVAL, EMPLOYMENT, SEX, RACE, EDUCATION, TYPE OF IMPAIRMENT, RECURRING DISABILITY, AND AVERAGE GROWTH IN THE ECONOMY DUE TO INCREASED PRODUCTIVITY. THE SENSITIVITY OF THE MODEL IS DISCUSSED, PARTICULARLY IN LIGHT OF NUMEROUS COST-BENEFIT STUDIES. THE STUDIES ACTUALLY EMPLOY FORMULAS THAT VARY WITH THE NUMBER AND THE COMPLEXITY OF THE FACTORS AND ASSUMPTIONS THEY ATTEMPT TO ENCOMPASS. TYPICALLY, 5 PRINCIPAL ASSUMPTIONS ARE COMBINED WITH EARNINGS BEFORE AND AFTER REHABILITATION TO FORECAST THE FUTURE EARNINGS OF REHABILITANTS; PRODUCTIVITY INCREASES ARE OFTEN IGNORED OR CONSIDERED A FIXED OR VARIABLE FACTOR REPRESENTING SIMPLE RATES; BENEFIT AND COST CONCEPTS VARY CONSIDERABLY IN SCOPE AND OPERATIONAL DEFINITIONS; AND ALL STUDIES, EXCEPT 1 OF THE 18 EXAMINED, DISCOUNT THE FUTURE BENEFITS EXPECTED TO RESULT FROM INVESTMENTS IN REHABILITATION TO THEIR PRESENT VALUE IN ORDER TO SHOW THE OPPORTUNITY COSTS OF MAKING THE INVESTMENT. IT IS CONCLUDED THAT THE COST-BENEFIT STUDIES HAVE NOT BEEN PROVEN ADEQUATE FOR ASSESSING REHABILITATION PRIORITIES, ARE STILL IN THE DEVELOPMENTAL STAGE, AND ARE CRUDE DUE TO OVERLY SIMPLISTIC FORECASTING OF FUTURE EARNINGS OF REHABILITANTS, THE INSUFFICIENCIES OF DATA CONCERNING THE BENEFITS AND COSTS OF REHABILITATION, AND THE EXTREME SENSITIVITY OF THE RESULTS OF THE MODEL TO ITS UNTESTED UNDERLYING ASSUMPTIONS. RECOMMENDATIONS ARE MADE TO ENHANCE THE EMPIRICAL KNOWLEDGE BASE UPON WHICH COST-BENEFIT ANALYSIS DEPENDS FOR VALIDITY. TABULAR DATA AND NOTES ARE PROVIDED.

95. **OHIO DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION, STATE OFFICE BUILDING, 65 SOUTH FRONT STREET, COLUMBUS OH 43215. SERVICES FOR DEVELOPMENTALLY DISABLED DELINQUENTS AND OFFENDERS.** 89 p. 1977. **NCJ-46838**

PROBLEMS AND NEEDS THAT DEVELOPMENTALLY DISABLED DELINQUENTS AND OFFENDERS ENCOUNTER IN THE OHIO SOCIAL SERVICE AND CORRECTIONAL SYSTEMS ARE REVIEWED IN A SURVEY OF SOCIAL SERVICE AND CRIMINAL JUSTICE AGENCIES. A QUESTIONNAIRE (NOT INCLUDED) SENT TO APPROXIMATELY 400 AGENCIES IN OHIO FOUND THAT FEW ARE EQUIPPED TO HANDLE THE MENTALLY RETARDED DELINQUENT OR THE ADULT OR JUVENILE OFFENDER WITH CEREBRAL PALSY, EPILEPSY, OR OTHER DEVELOPMENTAL PROBLEMS. AN INDEPTH STUDY WAS CONDUCTED OF THE FILES OF FOUR INSTITUTIONS—THE TRAINING INSTITUTE OF CENTRAL OHIO, THE TRAINING CENTER FOR YOUTH, THE BUCKEYE YOUTH CENTER, AND SCIOTO VILLAGE—TO DETERMINE THE NEED FOR SUCH SERVICES; A SECOND SURVEY WAS CONDUCTED AT THE CUYAHOGA BOYS SCHOOL IN OCTOBER 1977. THE DATA INDICATE THAT 6 PERCENT OF CLIENTS WITHIN THE OHIO YOUTH COMMISSION INSTITUTIONS HAD AN INTELLIGENCE QUOTIENT

BELOW 70 (AVERAGE 64); A 3 PERCENT FIGURE IS FOUND IN THE U.S. POPULATION AT-LARGE. THERE ARE MANY POSSIBLE REASONS FOR THIS, INCLUDING LACK OF EDUCATIONAL ACHIEVEMENT, EMPLOYMENT, SKILLS, AND ALTERNATIVE FACILITIES FOR SUCH YOUTH. MANY OF THESE YOUNG PEOPLE ARE FROM POOR HOMES AND CANNOT AFFORD AN ATTORNEY. ALSO, MENTALLY RETARDED CLIENTS OFTEN CONFESS TO CRIMES OUT OF A DESIRE TO PLEASE. CASE STUDIES REVEALED THAT THE NUMBER OF PERSONS WITH CEREBRAL PALSY AND EPILEPSY WERE ROUGHLY CORRESPONDENT TO THE PREVALENCE OF THESE DISORDERS IN THE U.S. POPULATION AS A WHOLE. HOWEVER, MORE THAN TWO-THIRDS OF THESE WERE CHARACTERIZED AS PROBLEM INDIVIDUALS BECAUSE OF THEIR VIOLENT OR DESTRUCTIVE BEHAVIOR. WARDENS AND OTHERS RESPONDING TO THE QUESTIONNAIRES COMMENTED THAT LACK OF APPROPRIATE TREATMENT FACILITIES WAS PROBABLY A SIGNIFICANT FACTOR. IT IS CONCLUDED THAT EXISTING FACILITIES FOR BOTH ADULT AND JUVENILE OFFENDERS WITH DEVELOPMENTAL PROBLEMS ARE INADEQUATE, THAT MANY OF THE MENTALLY RETARDED YOUTHS IN CORRECTIONAL INSTITUTIONS SHOULD BE IN A COMMUNITY RESIDENTIAL FACILITY, AND THAT THE INSTITUTION POPULATION SUFFERING DEVELOPMENTAL DISORDERS IS LARGE ENOUGH TO MERIT MORE ATTENTION. TABLES SUMMARIZE SURVEY DATA. APPENDED MATERIALS INCLUDE AN OVERVIEW OF SIMILAR SURVEYS IN OTHER STATES, A LIST OF COMMENTS RECEIVED AS A RESULT OF THE OHIO SURVEY, AND A BIBLIOGRAPHY OF MATERIALS RELATING TO THE DEVELOPMENTALLY DISABLED OFFENDER.

Sponsoring Agencies: OHIO ADMINISTRATION OF JUSTICE DIVISION DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT, 30 EAST BROAD STREET, 26TH FLOOR, COLUMBUS, OH 43215; OHIO DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION, STATE OFFICE BUILDING, 65 SOUTH FRONT STREET, COLUMBUS OH 43215; OHIO YOUTH COMMISSION.

Availability: NCJRS MICROFICHE PROGRAM.

96. PEDOPHILE (CHILD MOLESTATION). **NCJ-43076**

CHILD MOLESTERS ARE AMONG THE LEAST UNDERSTOOD AND MOST FEARED CRIMINALS. THIS FILM OFFERS A FRANK OVERVIEW OF THE PSYCHOLOGICAL AND PHYSICAL CHARACTERISTICS OF CHILD MOLESTERS WHILE DESCRIBING MEANS OF PREVENTION. THROUGH THE PORTRAYAL OF AN INCIDENT OF CHILD MOLESTATION AND THE POLICE INVESTIGATION FOLLOWING THE INCIDENT, THE FILM PROVIDES INFORMATION ON ALL ASPECTS OF CHILD MOLESTATION--CAUSES, POLICE INVESTIGATIVE TECHNIQUES, COMMUNITY RESPONSES, OFFENDER TYPES, AND PREVENTION. IN THE INCIDENT PORTRAYED IN THIS FILM, A YOUNG GIRL IS MOLESTED WHILE AT THE LOCAL PLAYGROUND. POLICE INVESTIGATORS CHECK OUT POTENTIAL SUSPECTS, BEGINNING WITH PERSONS KNOWN TO THE VICTIM AND SUSPICIOUS PERSONS SEEN AROUND THE AREA. IT IS NOTED THAT IN MOST CASES THE VICTIM AND ASSAILANT ARE KNOWN TO EACH OTHER. THE MOTIVATIONS AND CHARACTERISTICS OF SEVERAL TYPES OF PEDOPHILES ARE DESCRIBED, INCLUDING THE HOMOSEXUAL MOLESTER, THE OLDER CHILD MOLESTER, THE MENTALLY DEFECTIVE OFFENDER, AND THE 'NORMAL' OFFENDER. THE FILM THEN TURNS TO THE POLICE INTERVIEW WITH THE MOLESTED CHILD WHERE THE OFFICERS OBTAIN A DESCRIPTION OF THE ASSAILANT AND THE CIRCUMSTANCES SURROUNDING THE CRIME. AS THE POLICE SEARCH THROUGH THEIR FILES, SEVERAL CHILD MOLESTATION PATTERNS ARE EXAMINED, SHOWING THE METHODS THAT OFFENDERS MAY USE TO APPROACH THEIR VICTIMS. AFTER THE MOLESTER ATTEMPTS TO ASSAULT ANOTHER YOUNG GIRL, THE POLICE ARE ABLE TO TRACE HIS IDENTITY AND APPREHEND HIM. VIEWERS ARE ADVISED THAT ALTHOUGH THE PEDOPHILE MAY COMMIT SERIOUS CRIMES, HE IS IN REALITY A VERY SICK PERSON UNABLE TO CONTROL HIS IMPULSES. THE FILM CONCLUDES WITH A WARNING TO ALL PARENTS THAT CHILDREN MUST BE TAUGHT TO AVOID SITUATIONS THAT MIGHT LEAD TO CHILD MOLESTATION.

Supplemental Notes: 20 MINUTES, 16 MM COLOR.

Availability: (Not available through NCJRS Document Loan Program)

97. PENNSYLVANIA—A PLAN FOR FORENSIC MENTAL HEALTH SERVICES. 51 p. 1977. **NCJ-57259**

THE STATUS OF MAXIMUM SECURITY PSYCHIATRIC CARE IN PENNSYLVANIA IS ASSESSED, AND RECOMMENDATIONS TO IMPROVE FORENSIC PSYCHIATRIC CARE FOR MENTALLY-ILL OFFENDERS ARE OFFERED. THE DELIVERY OF PUBLIC SECTOR FORENSIC PSYCHIATRIC SERVICES IN PENNSYLVANIA HAS BEEN UNDERGOING CHANGE INDICATIVE OF LEGISLATIVE, JUDICIAL, PROFESSIONAL, AND PUBLIC ATTENTION TO PATIENT RIGHTS, DUE PROCESS CONSIDERATIONS, INVOLUNTARY TREATMENT, AND NEEDS OF MENTALLY-ILL PERSONS INVOLVED WITH THE CRIMINAL JUSTICE SYSTEM. A CLASSIFICATION SCHEME HAS BEEN DEVISED TO ASSIGN SECURITY RATINGS FOR MENTAL HEALTH AND CORRECTIONAL INSTITUTIONS THAT CONSIDERS SUCH TYPES OF PERSONS AS MENTALLY DISABLED DETENTIONERS, MENTALLY DISABLED OFFENDERS, AND PERSONS NOT GUILTY BY REASON OF INSANITY. A GOVERNOR'S TASK FORCE HAS CONSIDERED VARIOUS WAYS OF PROVIDING FORENSIC PYSCHIATRIC CARE AND RECOMMENDS THE DEVELOPMENT OF A COMPREHENSIVE SYSTEM. THIS SYSTEM MUST INCLUDE THE PROVISION OF MENTAL HEALTH SERVICES IN STATE PRISONS, MULTILEVEL SECURE INPATIENT FORENSIC UNITS AT SELECTED STATE HOSPITALS, CRISIS INTERVENTION AND PREVENTIVE AND AFTERCARE SERVICES IN COUNTY JAILS, AND COUNTY COURT DIAGNOSTIC CLINICS. THE TASK FORCE BELIEVES THAT FORENSIC PSYCHIATRIC CARE FOR WOMEN SHOULD FOLLOW THE SAME PATTERN AS FOR MEN AND INCLUDE EMERGENCY AND NONACUTE TREATMENT AVAILABLE THROUGH MENTAL HEALTH PERSONNEL IN JAILS AND PRISONS AND IN DECENTRALIZED, MULTILEVEL SECURE FORENSIC UNITS IN STATE HOSPITALS FOR WOMEN OFFENDERS. FORENSIC MENTAL HEALTH SYSTEMS IN OTHER STATES ARE SURVEYED. THE DEVELOPMENT OF A FORENSIC PSYCHIATRIC SYSTEM FOR PENNSYLVANIA IS CONSIDERED IN RELATION TO SYSTEM DESIGN AND IMPLEMENTATION, ORGANIZATIOAL FRAMEWORK, LEGISLATIVE RECOMMENDATIONS, AND ESTIMATED COSTS. DATA AND ILLUSTRATIONS ARE INCLUDED, AND APPENDIXES PROVIDE ADDITIONAL INFORMATION ON THE PLAN FOR FORENSIC MENTAL HEALTH SERVICES IN PENNSYLVANIA.

Supplemental Notes: REPORT OF THE GOVERNOR'S TASK FORCE ON MAXIMUM SECURITY PSYCHIATRIC CARE.

Availability: PENNSYLVANIA DEPARTMENT OF PUBLIC WELFARE PUBLICATIONS DIVISION, HARRISBURG PA 17120.

98. W. R. PHELPS. VOCATIONAL REHABILITATION OF THE DISABLED PUBLIC OFFENDER—A GUIDE FOR THE REHABILITATION PRACTITIONER. WEST VIRGINIA DIVISION OF VOCATIONAL REHABILITATION, STATE CAPITOL BUILDING, CHARLESTON WV 25305. 21 p. 1974. **NCJ-19413**

THIS REPORT CONSIDERS THE NATURE OF THE REHABILITATION PROBLEM PRESENTED BY THE OFFENDER AND GIVES GENERAL GUIDELINES FOR DEALING WITH IT. TOPICS DISCUSSED INCLUDE THE SOCIAL VALUES ASSOCIATED WITH CRIMINAL BEHAVIOR AND HOW TO DEAL WITH THEM, CHARACTERISTICS OF DISABLED OFFENDERS, THE OFFENDER'S NEED FOR SPECIAL SERVICES, AND HOW TO WORK WITHIN THE CORRECTIONAL SETTING.

Availability: NTIS Accession No. PB 230 487; NCJRS MICROFICHE PROGRAM.

99. **W. R. PHELPS. VOCATIONAL REHABILITATION OPERATIONS WITHIN A PRISON SYSTEM—ONE APPROACH TO SERVING THE MENTALLY RETARDED PUBLIC OFFENDER.** 16 p. 1974. **NCJ-27424**

THE AUTHOR DESCRIBES A WEST VIRGINIA VOCATIONAL REHABILITATION PROGRAM. SOME CHARACTERISTICS AND NEEDS OF THE MENTALLY RETARDED OFFENDER ARE IDENTIFIED. THE PROGRAM BEGINS WITH REFERRAL, ORIENTATION, AND EVALUATION OF MENTALLY RETARDED INMATES. GUIDANCE COUNSELING, AND TRAINING PROGRAMS ARE DESCRIBED, AS ARE RELEASE AND FOLLOWUP PROCEDURES.

Availability: NTIS Accession No. PB 231 166; NCJRS MICROFICHE PROGRAM.

100. **J. PRADEL. INMATE HEALTH IN FRANCE—NCJRS TRANSLATION.** NATIONAL CRIMINAL JUSTICE REFERENCE SERVICE, BOX 6000, ROCKVILLE MD 20850. 20 p. 1977. **NCJ-34251**

THIS TRANSLATION GIVES A BRIEF HISTORY OF INMATE MEDICAL CARE IN FRANCE, AND AN OVERVIEW OF LEGISLATION IN FORCE AND FACILITIES AVAILABLE, PARTICULARLY IN REGARD TO ALCOHOLIC, DRUG ADDICT, AND PSYCHOPATHIC OFFENDERS. PRESENT-DAY FRENCH LAW COVERING INMATE HEALTH CARE IS BASED ON THE PRINCIPLE THAT INMATES HAVE A RIGHT TO SUCH CARE. THIS IS A CONCEPT THAT HAS BEEN ACCEPTED ONLY RELATIVELY RECENTLY. PRISON DOCTORS ARE UNDER CONTRACT TO THE CORRECTIONS ADMINISTRATION AND ARE PAID A FEE FOR EACH SERVICE THEY PERFORM. EVERY CORRECTIONAL INSTITUTION HAS ITS OWN INFIRMARY, WHICH PROVIDES BASIC MEDICAL SERVICES SUCH AS INOCULATIONS AND PERIODIC PHYSICAL EXAMINATIONS. DETOXIFICATION TREATMENT OF ALCOHOLIC AND DRUG ADDICT INMATES IS GIVEN AT SOME INSTITUTIONS. THERE ALSO ARE MEDICAL-PSYCHOLOGICAL REGIONAL CENTERS WHERE PSYCHIATRIC TREATMENT IS GIVEN. IN ADDITION, THERE ARE SPECIALIZED ESTABLISHMENTS FOR SURGICAL OPERATIONS, TUBERCULAR PATIENTS, AND THE PHYSICALLY HANDICAPPED. FRENCH LAW ALSO PROVIDES FOR THE TREATMENT OF INMATES OUTSIDE THE CORRECTIONS SYSTEM FOR AILMENTS THE SYSTEM IS UNABLE TO TREAT BECAUSE OF LACK OF FACILITIES OR QUALIFIED PERSONNEL. DISCUSSED ARE MEDICO-LEGAL CONSIDERATIONS SUCH AS THE LEGAL RELATIONSHIP BETWEEN THE AILING INMATE AND PRISON DOCTOR, THE LEGAL STATUS OF INMATES UNDERGOING TREATMENT IN A CIVILIAN ESTABLISHMENT, AND THE CONFLICT BETWEEN THE DOCTOR'S PROFESSIONAL OBLIGATION TO TREAT INFORMATION OBTAINED FROM HIS PATIENT AS SECRET AND THE CORRECTIONS AUTHORITIES' NEED FOR THAT INFORMATION. FOR THE ORIGINAL DOCUMENT WRITTEN IN FRENCH, SEE NCJ-28419.

Supplemental Notes: TRANSLATION BY NELSON ROSE FROM AN ORIGINAL WORK IN FRENCH APPEARING IN REVUE DE SCIENCE CRIMINELLE ET DE DROIT PENAL COMPARE, N 2 (APRIL-JUNE 1974), P 269-293.

Sponsoring Agency: US DEPARTMENT OF JUSTICE LEAA NATIONAL INSTITUTE OF LAW ENFORCEMENT AND CRIMINAL JUSTICE, 633 INDIANA AVENUE NW, WASHINGTON, DC 20531.

101. **B. A. ROWAN, H. SCHWARTZ, and H. C. HAYWOOD. CORRECTIONS (FROM MENTALLY RETARDED CITIZEN AND THE LAW, 1976 BY MICHAEL KINDRED, JULIUS COHEN, DAVID PENROD AND THOMAS SHAFFER—SEE NCJ-35524).** FREE PRESS, 866 THIRD AVENUE, NEW YORK NY 10022. 22 p. 1976. **NCJ-35526**

THREE PAPERS ARE PRESENTED THAT DEAL WITH THE LACK OF CORRECTIONAL PROGRAMMING FOR MENTALLY RETARDED OFFENDERS—THE FIRST PAPER SETS OUT THE PROBLEM, WHILE THE LATTER TWO GIVE REACTIONS TO THE PROPOSED SOLUTIONS. THE FIRST PAPER DESCRIBES THE CURRENT SITUATION IN WHICH MENTALLY RETARDED OFFENDERS RECEIVE LITTLE SPECIAL EDUCATION OR COUNSELING DIRECTED TO THEIR REHABILITATION FOR COMMUNITY LIFE. THE PROPORTION OF MENTALLY RETARDED INDIVIDUALS IN CORRECTIONAL INSTITUTIONS APPEARS TO BE AT LEAST 7 TO 9 PERCENT NATIONALLY AND AS HIGH AS 30 PERCENT IN SOME STATES. THE LACK OF RESPONSIBLE PROGRAMS IS DEMONSTRATED TO BE SEVERE EVEN IN SPECIAL INSTITUTIONS SUPPOSEDLY CREATED FOR THE SPECIFIC PURPOSE OF PROVIDING REHABILITATION TO A BROAD CATEGORY OF 'MENTALLY DISABLED' PERSONS. RECOMMENDATIONS TO ALLEVIATE THIS PROBLEM INCLUDE THE DEVELOPMENT OF SPECIALIZED PROGRAMS AND INSTITUTIONS FOR THE MENTALLY RETARDED OFFENDER. THIS PREFERENCE ARISES AS A CONSEQUENCE OF THE FACT THAT RETARDED OFFENDERS RECEIVE THE LEAST APPROPRIATE PROGRAMMING OF ALL INMATES WHEN PLACED IN A GENERAL PRISON OR MIXED TREATMENT CENTER. BOTH GENERAL PRISON AND REGULAR INSTITUTION PLACEMENTS FOR THE MENTALLY RETARDED ARE SEEN AS BEING INAPPROPRIATE FOR DEALING WITH THE PROBLEMS OF THE MENTALLY RETARDED OFFENDER. THE FIRST REACTION PAPER IS SKEPTICAL OF SOCIETY'S ABILITY AND DESIRE TO PROVIDE TRULY REHABILITATIVE TREATMENT TO OFFENDERS, WHETHER MENTALLY RETARDED OR NOT. THE SECOND WARNS AGAINST THE POSSIBILITY OF MAKING MISTAKES SIMILAR TO THOSE MADE IN SEGREGATED EDUCATIONAL PROGRAMS FOR THE MENTALLY RETARDED. BOTH OF THEM EMPHASIZE THE FACT THAT MOST RETARDED OFFENDERS ARE ONLY MILDLY RETARDED; THEY STRESS THE DANGERS OF OVER CLASSIFICATION AND STIGMATIZATION. THEY BOTH PRESS FOR A REEVALUATION OF PRISON PROGRAMMING AND CRITICIZE THE OVERUSE OF PRISONS IN GENERAL. (AUTHOR ABSTRACT)

102. **M. SANTAMOUR and B. WEST. MENTALLY RETARDED OFFENDER AND CORRECTIONS.** AMERICAN CORRECTIONAL ASSOCIATION, 4321 HARTWICK ROAD, COLLEGE PARK MD 20740. 64 p. 1977. **NCJ-39024**

THE PRESCRIPTIVE PACKAGE SETS FORTH A SYSTEM OF CORRECTIONAL SERVICES FOR THE RETARDED OFFENDER AND OFFERS GUIDANCE IN THE PROCEDURES FOR IMPLEMENTING THESE SERVICES. THIS HANDBOOK IS BASED UPON A CRITICAL REVIEW OF RESEARCH, SITE VISITS TO EXISTING PROGRAMS FOR RETARDED OFFENDERS, AND INTERVIEWS WITH PROFESSIONALS IN THE FIELDS OF CORRECTIONS AND RETARDATION. FOCUSING ON THE RETURN OF THE RETARDED OFFENDER TO THE COMMUNITY AS AN INDEPENDENT, ADJUSTED, AND LAW-ABIDING CITIZEN, IT BUILDS A CONCEPTUAL FRAMEWORK WITHIN WHICH CORRECTIONAL ADMINISTRATORS MAY DESIGN AND IMPLEMENT APPROPRIATE PROGRAMS. THE RESULT IS A DOCUMENT WHICH PRESENTS A COMPREHENSIVE REVIEW OF THE STATE-OF-THE-ART; A BROAD UNDERSTANDING OF THE RETARDED OFFENDER, HIS NEEDS, AND RIGHTS; GUIDELINES AND TECHNIQUES TO BE USED IN EVALUATION, PLANNING, AND IMPLEMENTING PROGRAMS FOR INDIVIDUAL OFFENDERS AND GROUPS OF OFFENDERS; GUIDANCE FOR STAFFING AND BUDGETING PROGRAMS; CURRICULUM FOR TRAINING TREATMENT STAFF AND ASSOCIATED PERSONNEL; AND METHODS FOR EVALUATING THE EFFECTIVENESS OF PROGRAMMING. A FIVE-PAGE BIBLIOGRAPHY IS APPENDED. (AUTHOR ABSTRACT MODIFIED)

Supplemental Notes: PRESCRIPTIVE PACKAGE SERIES.

Sponsoring Agency: US DEPARTMENT OF JUSTICE LEAA NATIONAL INSTITUTE OF LAW ENFORCEMENT AND CRIMINAL JUSTICE, 633 INDIANA AVENUE NW, WASHINGTON, DC 20531.

Availability: GPO Stock Order No. 027-000-00528-4; NCJRS MICROFICHE PROGRAM.

103. **M. B. SANTAMOUR and B. WEST. RETARDATION AND CRIMINAL JUSTICE—A TRAINING MANUAL FOR CRIMINAL JUSTICE PERSONNEL.** NEW JERSEY ASSOCIATION FOR RETARDED CITIZENS CRIMINAL JUSTICE EDUCATION PROJECT, 99 BAYARD STREET, NEW BRUNSWICK, NJ 08901. 58 p. 1979. **NCJ-65123**

THIS MANUAL IS INTENDED TO EQUIP PROBATION, PAROLE, AND CORRECTIONAL OFFICERS FOR WORK WITH RETARDED OFFENDERS BY CONTRIBUTING TO THEIR BETTER UNDERSTANDING OF THIS DISADVANTAGED GROUP IN THE CRIMINAL JUSTICE SYSTEM. MENTALLY RETARDED OFFENDERS FOUND LEGALLY COMPETENT TO STAND TRIAL ARE TREATED AS MISFITS BY BOTH CRIMINAL JUSTICE AND MENTAL HEALTH PROFESSIONALS, WHO LOOK TO EACH OTHER'S FIELDS FOR FUNDING AND PROGRAM PROVISIONS. IT HAS BEEN FOUND THAT OFFENDERS WITH LOW INTELLECTUAL AND SOCIAL ADAPTABILITY MEASURES USUALLY SERVE LONGER SENTENCES THAN THEIR COUNTERPARTS AND REQUIRE A DISPROPORTIONATE AMOUNT OF SUPERVISION AND STAFF TIME. DESPITE GOOD POTENTIAL FOR BENEFITING FROM PROGRAMMING, THEY SUFFER A GROSS LACK OF APPROPRIATE SERVICES AND ARE OFTEN VICTIMS OF INJUSTICES WITHIN THE CORRECTIONAL SYSTEM. THE FOLLOWING THREE GENERAL AREAS ARE ADDRESSED IN THIS BOOK: (1) THE NATURE OF MENTAL RETARDATION AND ITS RELATIONSHIP TO CRIMINAL BEHAVIOR; (2) THE HISTORY AND EXTENT OF THE PROBLEMS OF RETARDED OFFENDERS; (3) THE MECHANISMS FOR SERVICE DELIVERY TO THIS GROUP OF OFFENDERS, INCLUDING PROGRAM DEVELOPMENT AND COUNSELING TECHNIQUES. REHABILITATION OF THE MENTALLY RETARDED IS SCHEMATIZED AS MOVEMENT FROM TOTAL DEPENDENCY TO INDEPENDENCE THROUGH PROGRESSIVE DEVELOPMENT OF LEVELS OF SKILL. IN SEQUENCE, THESE SKILLS INCLUDE PERSONAL AND PHYSICAL, SOCIAL AND COGNITIVE, VOCATIONAL AND ECONOMIC, AND, FINALLY, RESIDENTIAL. THROUGHOUT THE MANUAL, THE CONCEPT OF HABILITATIVE TRAINING REFERS TO LEARNING TO ENHANCE THE CONDITION OF THE RETARDED INDIVIDUAL'S PHYSICAL, MENTAL, SOCIAL, VOCATIONAL, AND ECONOMIC CONDITION, BEGINNING AT THE LEVEL OF THAT PERSON'S COMPETENCY. THE LEGAL RIGHTS OF RETARDED PERSONS ARE OUTLINED, WITH ATTENTION TO INVOLVEMENT OF CITIZEN ADVOCATES AND THE GENERAL MOVEMENT TOWARD FULL CITIZENSHIP OF MENTALLY RETARDED PEOPLE BASED ON A RECOGNITION OF THEIR HUMAN DIGNITY. A BIBLIOGRAPHY IS INCLUDED.

Supplemental Notes: BULK RATES AVAILABLE.

Sponsoring Agencies: US EXECUTIVE OFFICE OF THE PRESIDENT PRESIDENT'S COMMITTEE ON MENTAL RETARDATION, 7TH AND D STREETS SW RO BG, WASHINGTON, DC 20515; NEW JERSEY STATE LAW ENFORCEMENT PLANNING AGENCY, 3535 QUAKER BRIDGE ROAD, TRENTON NJ 08625.

Availability: NEW JERSEY ASSOCIATION FOR RETARDED CITIZENS CRIMINAL JUSTICE EDUCATION PROJECT, 99 BAYARD STREET, NEW BRUNSWICK, NJ 08901.

104. **J. SIMON, Ed. CALIFORNIA LEGISLATURE'S STUDY OF CORRECTIONAL NEEDS, NO 3—INSTITUTIONAL PROGRAMS—FINAL REPORT, 1978.** CALIFORNIA PLANNERS. 124 p. 1978. **NCJ-52513**

THE CONCEPTS, PER CAPITA COST, AND RESPONSE TO INSTITUTIONAL GOALS OF PRISONER PROGRAMS OPERATING IN CALIFORNIA'S CORRECTIONAL INSTITUTIONS ARE DISCUSSED, AS WELL AS THE SYSTEM'S RESPONSE TO SPECIAL PRISONER NEEDS. DATA ARE PROVIDED ON THE MEDICAL AND DENTAL SERVICES, PSYCHIATRIC SERVICES, EDUCATIONAL PROGRAMS, COUNSELING SERVICES, PRISONER SELF-HELP GROUPS, RECREATIONAL PROGRAMS (INCLUDING VISITING), AND RELIGIOUS PROGRAMS AND SERVICES OF 12 CALIFORNIA INSTITUTIONS. THE TOTAL PROGRAM EXPENSES FOR INSTITUTIONS AVERAGE $2,108,279 WITH THE PER CAPITA EXPENSE FOR SERVICES RANGING BETWEEN $700 AND $1,600. SECURITY IS THE LARGEST OPERATING EXPENSE IN THE PROGRAM BUDGETS. THERE IS TENSION IN EVERY AREA OF PROGRAMMING CAUSED BY SECURITY WHICH RESTRICTS OUTSIDERS FROM COMING IN AND THUS MINIMIZES USE OF OUTSIDE SPONSORS FOR ACTIVITIES AND PREVENTS INMATES FROM LEAVING THE INSTITUTION AND UTILIZING COMMUNITY RESOURCES AND PROGRAMS. THE STUDY ALSO CONSIDERS THE NEEDS OF THE ESTIMATED 160 INMATES WITH PHYSICAL DISABILITIES AND THE 1,200 LEARNING DISABLED PRISONERS. THE ADVANTAGES AND DISADVANTAGES OF CORRECTIONS ARE DISCUSSED AS WELL AS THE NEEDS OF INCARCERATED MOTHERS AND THEIR CHILDREN. THE APPENDIXES CONTAIN ESTIMATED COST ANALYSES OF VARIOUS RECOMMENDED SERVICES SUCH AS PROVISION OF ESCORTS, AN INDEPENDENT LIVING SKILLS PROGRAM, AND THE CHILD DEVELOPMENT CENTER PROGRAM. SEE ALSO NCJ 52509-52512.

Sponsoring Agency: CALIFORNIA JOINT RULES COMMITTEE.

Availability: NCJRS MICROFICHE PROGRAM.

105. **SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, 4444 BROAD RIVER ROAD, P O BOX 766, COLUMBIA SC 29202. MENTALLY RETARDED ADULT OFFENDERS IN THE SOUTH CAROLINA CRIMINAL JUSTICE SYSTEM—A PROPOSED PROGRAM.** 112 p. 1974. **NCJ-65561**

THIS REPORT ADDRESSES THE NEEDS OF MENTALLY RETARDED OFFENDERS IN SOUTH CAROLINA AND THE FEASIBILITY OF DIVERSIONARY PROGRAMS FOR THEM. TO DETERMINE WHETHER THE STATE SHOULD INSTITUTE SPECIALIZED TREATMENT PROGRAMS FOR INCARCERATED RETARDED OFFENDERS OR CREATE DIVERSIONARY PROGRAMS, THE FIRST PART OF THE STUDY UTILIZED A SURVEY OF ALL THE LITERATURE CONCERNED WITH ADULT MENTALLY RETARDED OFFENDERS; A SURVEY OF EXISTING SOUTH CAROLINA LAWS AND RESPONSES OF CIRCUIT COURT JUDGES, PROBATION OFFICERS, AND MANAGEMENT PERSONNEL OF STATE AGENCIES, ORGANIZATIONS, AND COMMUNITY SERVICE GROUPS; AND QUESTIONNAIRES AND INTERVIEWS. FINDINGS INDICATE THAT THE PRESENT LEGAL FRAMEWORK IS INSUFFICIENT FOR THE FORMAL EARLY DIVERSION OF RETARDED OFFENDERS FROM THE CRIMINAL JUSTICE SYSTEM. HOWEVER, ALL GROUPS INTERVIEWED AND SURVEYED WERE WILLING TO DIVERT THE MENTALLY RETARDED OFFENDER. THEREFORE, A DIVERSIONARY PROGRAM FOR THE RETARDED OFFENDER SHOULD EVENTUALLY BE IMPLEMENTED. TO ASSESS THE PRESENT EVALUATION PROCEDURES WITHIN THE STATE'S DEPARTMENT OF CORRECTIONS AS WELL AS THE FEASIBILITY OF OFFERING TREATMENT PROGRAMS FOR THE INCARCERATED RETARDED OFFENDER, RESEARCHERS CONDUCTED INTERVIEWS WITH STATE CORRECTIONAL AND REHABILITATION AGENCIES AND QUESTIONNAIRES TO DEPARTMENTS OF CORRECTIONS IN ALL 50 STATES AND THE DISTRICT OF COLUMBIA. FINDINGS SHOW THAT THE REVISED BETA EXAMINATION, ADMINISTERED TO INMATES AS THE SOLE DETERMINANT OF INTELLIGENCE, EXHIBITED DEFICIENCIES WHEN COMPARED TO THE WECHSLER ADULT INTELLIGENCE SCALE. PROCEDURES TO BETTER IDENTIFY AND EVALUTE MENTALLY RETARDED INMATES ARE RECOMMENDED, ALONG WITH A PLAN TO PROVIDE SPECIALIZED TREATMENT FOR THE MENTALLY RETARDED, SINCE A PROGRAM OF EARLY DIVERSION IS NOT IMMEDIATELY FEASIBLE. APPENDIXES CONTAIN THE QUESTIONNAIRES AND INTERVIEWS USED AND THEIR RESULTS, A LIST OF PERSONS AND AGENCIES CONTACTED, AND EXCERPTS FROM A SOUTH CAROLINA SENATE BILL. FOOTNOTES ARE INCLUDED.

106. **SOUTHEASTERN CORRECTIONAL AND CRIMINOLOGICAL RESEARCH CENTER. FOUR STATE FEASIBILITY STUDY OF REGIONAL PROGRAMS FOR SPECIAL OFFENDERS—FINAL REPORT.** 300 p. **NCJ-30989**

THIS PROJECT WAS DESIGNED TO DETERMINE THE NEED OF A REGIONAL FACILITY (GEORGIA, FLORIDA, NORTH/SOUTH CAROLINA) FOR WOMEN, THE CRIMINALLY INSANE OFFENDER, THE 'HARD-CORE' CRIMINAL, THE MENTALLY RETARDED CRIMINAL. IN ADDITION, THE NEED FOR A REGIONAL PROGRAM CREATING AN 'INMATE EXCHANGE SYSTEM' WITH THE MAIN PURPOSE BEING THE RETURN OF THE INMATE TO HIS HOME STATE WAS TO BE STUDIED. THE OPINIONS AND VIEWS OF THE FOLLOWING GROUPS WERE ASCERTAINED BY MEANS OF A QUESTIONNAIRE SURVEY: JUDGES, CORRECTIONAL PERSONNEL, LEGISLATORS, MENTAL HEALTH PERSONNEL, MENTAL RETARDATION, VOCATIONAL REHABILITATION, AND PERSONNEL IN PROBATION AND PAROLE. THE MAJOR CONCLUSION OF THE STUDY WAS THAT IT IS 'POSSIBLE' TO ESTABLISH REGIONAL INSTITUTIONS AND PROGRAMS INVOLVING THESE FOUR SOUTHEASTERN STATES, BUT IT MAY NOT BE 'DESIRABLE' OR 'FEASIBLE.' THIS CONCLUSION WAS BASED ON THE PROHIBITIVE SIZE OF ANY ONE SUCH MULTI-STATE INSTITUTION (MINIMUM INMATE POPULATION OF 1100); THE LACK OF SUPPORT FOR MULTI-STATE FACILITIES FOR THE MENTALLY DISTURBED OR RETARDED FROM THE PROFESSIONALS CONCERNED WITH THESE OFFENDER TYPES; AND THE FACT THAT THERE WERE SUFFICIENT NUMBERS IN EACH CATEGORY IN ALL FOUR OF THE STATES TO JUSTIFY A FACILITY WITHIN EACH STATE. OTHER STUDY RECOMMENDATIONS INCLUDED BEGINNING IMPLEMENTATION OF INTERSTATE TRANSFER (AMONG ALL STATES HAVING THE NECESSARY LEGISLATION) FOR ALL INMATES INCARCERATED OUT OF THEIR HOME AND ENCOURAGING INDIVIDUAL STATES, THROUGH FEDERAL ASSISTANCE, TO DEVELOP MORE AND BETTER PROGRAMS AND FACILITIES FOR SPECIAL OFFENDER CATEGORIES. THE EXTENSIVE APPENDIX CONTAINS, AMONG OTHER THINGS, COPIES OF THE SURVEY QUESTIONNAIRES, SUMMARIES OF RESPONSES FROM LEGISLATORS AND CORRECTIONAL ADMINISTRATORS, AND COPIES OF SAMPLE INTERSTATE COMPACTS AND SOME COMPACTS ALREADY IN USE.

Sponsoring Agency: US DEPARTMENT OF JUSTICE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION, 633 INDIANA AVENUE, NW, WASHINGTON DC 20531.

Availability: NCJRS MICROFICHE PROGRAM.

107. **M. E. SWITZER. VOCATIONAL REHABILITATION AND CORRECTIONS—A PROMISING PARTNERSHIP.** ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS, SUPREME COURT BUILDING, WASHINGTON DC 20544. *FEDERAL PROBATION*, V 31, N 3 (SEPTEMBER 1967), P 12-17. **NCJ-05921**

DESCRIPTION OF COOPERATIVE INTERAGENCY PROGRAMS TO AID DISABLED OFFENDERS, EMPHASIZING THE FEDERAL OFFENDER REHABILITATION PROGRAM. METHODS USED IN SHELTERED WORKSHOPS ARE PARTICULARLY APPLICABLE TO PRISONS, AND MAY SOON BE USED WITH PRISONERS WHO ARE ANTISOCIAL BUT NOT PHYSICALLY DISABLED.

108. **TEXAS DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION, BOX 12668, CAPITOL STATION, AUSTIN TX 78711. PROJECT CAMIO (CORRECTIONAL ADMINISTRATION AND THE MENTALLY INCOMPETENT OFFENDER), V 1—STRATEGIES FOR THE CARE AND TREATMENT OF THE MENTALLY RETARDED OFFENDER.** 123 p. 1973. **NCJ-12527**

OVERVIEW OF PROJECT CAMIO RESULTS, A DISCUSSION OF STUDY ASSUMPTIONS MADE ABOUT RETARDED OFFENDERS, AND RECOMMENDATIONS FOR IMPROVED TEXAS POLICIES. SUMMARIES OF THE SEVEN OTHER REPORTS (SEE NCJ 12528 THROUGH 12534) ARE PROVIDED. STUDY ASSUMPTIONS INCLUDE AN OPERATIONAL DEFINITION OF RETARDATION AS BELOW 70 IQ, THE ASSUMPTION THAT THE VAST MAJORITY OF MENTALLY RETARDED OFFENDERS IN CORRECTIONAL INSTITUTIONS ARE IN THE BORDERLINE AND MILDLY RETARDED RANGE, AND THE ASSUMPTION THAT THERE IS NO NECESSARY RELATIONSHIP BETWEEN RETARDATION AND CRIMINAL BEHAVIOR OR CULPABILITY. RECOMMENDATIONS ARE PRESENTED CONCERNING LEGISLATION, ADMINISTRATIVE AND PROCEDURAL CHANGE, AND COOPERATIVE ARRANGEMENTS BETWEEN LOCAL AND STATE AGENCIES CONCERNED WITH THE CARE AND TREATMENT OF THE MENTALLY RETARDED.

Sponsoring Agency: US DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, 330 INDEPENDENCE AVENUE, SW, WASHINGTON DC 20201.

109. **E. L. WALLE and P. L. MORRIS. SPEECH AND HEARING RESEARCH AND THERAPY WITH SOCIOPATHIC CRIMINALS.** 24 p. 1966. **NCJ-02064**

DEVELOPMENT OF A GENERAL FORMAT OF APPLIED CLINICAL RESEARCH AND THERAPY IN SPEECH AND HEARING FOR SOCIOPATHIC OFFENDERS. THE CRIMINAL POPULATION OF MARYLAND PATUXENT INSTITUTE IS DESCRIBED TOGETHER WITH PROGRAMS DESIGNED TO DIAGNOSE AND TREAT PROBLEMS OF INMATE SPEECH AND HEARING. AN OVERVIEW OF STATE STATUTES RELATED TO THE SOCIOPATHIC CRIMINAL IS MADE AS WELL AS SUMMARY LISTING OF CASES EXAMINED.

Supplemental Notes: PRESENTED AT AMERICAN SPEECH AND HEARING ASSOCIATION CONVENTION, WASHINGTON, DC., NOV 22, 1966.

110. **W. WOLFENSBERGER. PRINCIPLE OF NORMALIZATION IN HUMAN SERVICES.** NATIONAL INSTITUTE ON MENTAL RETARDATION, YORK UNIVERSITY CAMPUS, 4700 KEELE STREET, DOWNSVIEW, TORONTO, ONTARIO, CANADA M3J 1P3. 266 p. 1972. Canada. **NCJ-65322**

THIS BOOK APPROACHES THE PRINCIPLE OF NORMALIZATION AS A SYSTEM OF HUMAN MANAGEMENT, INTERPRETS ITS SCANDINAVIAN ORIGINS FOR A NORTH AMERICAN AUDIENCE, AND RELATES IT TO OTHER SOCIAL SCIENCE DISCIPLINES. NORMALIZATION IS THE PROVISION OF PATTERNS AND CONDITIONS OF EVERYDAY LIFE FOR THE MENTALLY RETARDED WHICH ARE AS CLOSE AS POSSIBLE TO THE PATTERNS OF THE MAINSTREAM OF SOCIETY. REFORMULATED IN THIS TREATISE, NORMALIZATION SHOULD AIM AT PERSONAL BEHAVIORS AND CHARACTERISTICS WHICH ARE AS CULTURALLY NORMATIVE AS POSSIBLE, AND ARRIVED AT THROUGH THE USE OF CULTURALLY NORMATIVE MEANS. THUS, DEVIANT PERSONS SHOULD BE HELPED TO LOOK AND BEHAVE IN A WAY APPROPRIATE FOR THAT CULTURE FOR PERSONS OF SIMILAR CHARACTERISTICS SUCH AS AGE AND SEX. NORMALIZATION INVOLVES INTERACTION WITH OTHERS. CONTACT OCCURS AT THREE LEVELS: (1) WITH INDIVIDUALS; (2) WITH PRIMARY SOCIAL SYSTEMS SUCH AS THE DEVIANT'S FAMILY, PEER GROUP, CLASSROOM, SCHOOL, NEIGHBORHOOD, AND PLACE OF WORK; AND (3) WITH THE RELEVANT SOCIETAL SOCIAL SYSTEMS, SUCH AS THE SCHOOL SYSTEM OF A PROVINCE, THE LAWS OF THE LAND, AND THE MORES OF A SOCIETY. INTEGRATION MUST BE BOTH PHYSICAL AND SOCIAL AND THUS HAS IMPLICATIONS FOR EDUCATIONAL, INDUSTRIAL, AND RESIDENTIAL-ARCHITECTURAL CONTEXTS. ADDITIONAL SOCIAL SCIENCE AND HUMAN SERVICE FIELDS IMPLICATED AND DISCUSSED IN DETAIL ARE MENTAL HEALTH, SERVICES FOR THE MULTIHANDICAPPED, BEHAVIOR MODIFICATION, AND VOCATIONAL PROGRAMS. THE HUMAN RIGHTS AND NEEDS OF THE IMPAIRED ARE DEFENDED IN TERMS OF THE RIGHT OF SELF-DETERMINATION AND SOCIOSEXUAL NEEDS. SPECIAL IMPLEMENTIVE STRATEGIES ARE DELINEATED THAT INVOLVE BOTH PROGRAM ADMINISTRATORS AND CITIZENS. PERFORMANCE ASSESSMENT AND SOURCES OF FUNDING ARE DISCUSSED AS FINAL AND VITAL CONSIDER-

ATIONS FOR IMPLEMENTATION. REFERENCES AND SUBJECT AND NAME INDEXES ARE PROVIDED.

Availability: CANADIAN ASSOCIATION FOR THE MENTALLY RETARDED PUBLICATIONS DEPARTMENT, YORK UNIVERSITY CAMPUS, KINSMEN NIMR BLDG, 4700 KEELE ST, DOWNSVIEW, TORONTO, ONT, CANADA M3J 1P3.

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111. **R. C. ALLEN. LEGAL NORMS AND PRACTICES AFFECTING THE MENTALLY DEFICIENT.** AMERICAN ORTHOPSYCHIATRIC ASSOCIATION, 1775 BROADWAY, NEW YORK NY 10019. *AMERICAN JOURNAL OF ORTHOPSYCHIATRY,* V 38, N 4 (JULY 1968), P 635-642. **NCJ-65504**

THE FINDINGS OF AN EMPIRICAL STUDY OF THE OPERATION OF BOTH CIVIL AND CRIMINAL LAWS AFFECTING THE MENTALLY RETARDED AND THEIR FAMILIES IN SELECTED JURISDICTIONS OF THE U.S. ARE REPORTED. INITIALLY, A COLLECTION AND ANALYSIS OF THE STATUTES AND ADMINISTRATIVE REGULATIONS AFFECTING THE MENTALLY RETARDED WERE MADE OF ALL 51 JURISDICTIONS IN THE COUNTRY. SEVEN STATES (MASSACHUSETTS, NEW JERSEY, VIRGINIA, MARYLAND, FLORIDA, ILLINOIS, AND WASHINGTON) WERE THEN CHOSEN FOR THE EMPIRICAL STUDY. EXAMINATION OF THE OPERATION OF CIVIL LAWS COVERED THOSE STATUTES DEALING WITH RESIDENTIAL CARE; THE RIGHTS OF PATIENTS; THE RESPONSIBILITIES OF INSTITUTIONS, AGENCIES, AND FAMILIES; GUARDIANSHIP; INCOMPETENCY AND RESTORATION; ESTATE PLANNING; AND EUGENIC STERILIZATION. THE INVESTIGATION OF CRIMINAL LAWS TOUCHED ON PRETRIAL PROCEDURES, COMPETENCY TO STAND TRIAL, CRIMINAL RESPONSIBILITY, AND OFFENDER DISPOSITION. THE RESEARCH UNCOVERED SEVERAL FAILURES OF CIVIL AND CRIMINAL OPERATIONS TO PROTECT ADEQUATELY THE RIGHTS OF RETARDED CITIZENS. FOR EXAMPLE, IT WAS FOUND THAT ROUTINIZED DECISIONMAKERS OFTEN LOST SIGHT OF INDIVIDUAL CIVIL RIGHTS. AS A RESULT, HOSPITAL REGULATIONS SOMETIMES PROHIBITED ALL RESIDENTS, REGARDLESS OF MENTAL HEALTH STATUS AND COMPETENCY, FROM OBTAINING A DRIVER'S LICENSE, FROM MARRYING, FROM MAKING A WILL, OR MANAGING THEIR OWN PROPERTY. FURTHERMORE, PROTECTIVE SERVICES WERE NEARLY ALWAYS UNDERSTAFFED AND CROWDED. PARENTS OF INSTITUTIONALIZED AND NONINSTITUTIONALIZED CHILDREN OFTEN WERE UNAWARE OF ALTERNATIVES IN PLANNING FOR THEIR CHILDREN'S FUTURE, AND THEIR CHILDREN WERE KEPT IN CUSTODIAL CARE, BECAUSE OF THE EASE OF APPLICATION, RATHER THAN BEING GIVEN TREATMENT APPROPRIATE TO THEIR CONDITIONS. LEGAL PROVISIONS OFTEN FAILED BECAUSE OF AMBIGUITY IN IDENTIFYING CATEGORIES OF TARGET PERSONS. FURTHERMORE, PROTECTIVE SERVICES WERE RENDERED BY A MULTIPLICITY OF AGENCIES WITH AMBIGUOUSLY DEFINED AND OVERLAPPING JURISDICTIONS. CRIMINAL LAW IS DEFICIENT IN THAT IT PROVIDES NO EFFECTIVE MECHANISMS FOR IDENTIFYING SIGNIFICANTLY IMPAIRED PERSONS IN THE CRIMINAL LAW TRIAL PROCESS. MOREOVER, IF THESE PERSONS ARE IDENTIFIED, RESOURCES DO NOT EXIST FOR APPROPRIATE DIFFERENTIAL TREATMENT. REFERENCES ARE INCLUDED.

Supplemental Notes: BASED ON A PAPER PRESENTED AT THE FIRST INTERNATIONAL CONGRESS OF THE INTERNATIONAL ASSOCIATION FOR THE SCIENTIFIC STUDY OF MENTAL DEFICIENCY, MONTPELLIER, FRANCE, SEPTEMBER 1967.

Sponsoring Agencies: US DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE NATIONAL INSTITUTE OF MENTAL HEALTH, 5600 FISHERS LANE, ROCKVILLE, MD 20852; NATIONAL ASSOCIATION FOR RETARDED CHILDREN.

112. **A. BERLOW. RIGHTS OF INSTITUTIONALIZED—WHOSE PROBLEM?** CONGRESSIONAL QUARTERLY, INC, 1414 22ND STREET, NW, WASHINGTON DC 20037. *CONGRESSIONAL QUARTERLY WEEKLY REPORT,* V 36, N 17 (APRIL 29, 1978), P 1071-1077. **NCJ-47473**

SUPPORT, OPPOSITION, AND JUDICIAL PRECEDENT FOR BILL HR 9400 IS EXAMINED. THE BILL WOULD AUTHORIZE THE U.S. ATTORNEY GENERAL TO INITIATE OR INTERVENE IN LAWSUITS TO SAFEGUARD THE RIGHTS OF INSTITUTIONALIZED INDIVIDUALS. THE BILL WOULD APPLY TO THE RIGHTS OF THOSE CONFINED TO STATE-OPERATED INSTITUTIONS INCLUDING PRISONS, MENTAL INSTITUTIONS, NURSING HOMES, JUVENILE CENTERS, AND FACILITIES FOR THE CHRONICALLY ILL. IN THE BILL'S PREPARATION, HUNDREDS OF PAGES OF TESTIMONY DOCUMENTED UNSANITARY AND UNSAFE INSTITUTIONAL LIVING CONDITIONS WHICH RESULTED IN DEATHS AND MUTILATIONS. CASES OF TORTURE, BEATING, AND INADEQUATE CARE WERE ALSO DOCUMENTED. ALTHOUGH THE BILL IS SUPPORTED BY THE CARTER ADMINISTRATION AND THE AMERICAN BAR ASSOCIATION, IT HAS RECEIVED STRONG OPPOSITION FROM THE NATIONAL ASSOCIATION OF ATTORNEYS GENERAL (NAAG). THE NAAG ARGUES THAT THE BILL IS UNCONSTITUTIONAL AND UNNECESSARY, WOULD CREATE CONFLICT BETWEEN FEDERAL AND STATE LAW ENFORCEMENT AGENCIES, AND PROVIDES JUDICIAL REMEDY WHERE LEGISLATIVE AND EXECUTIVE SOLUTIONS SUCH AS STATE AID WOULD HAVE GREATER IMPACT. NAAG FURTHER SUGGESTS THAT THE CIVIL RIGHTS ACT OF 1871 PROVIDES ADEQUATE PROTECTION FOR THE INSTITUTIONALIZED. HOWEVER, DOCUMENTED ABUSES AND VIOLATIONS BELIE THESE ARGUMENTS, SUGGESTING THAT STATE AND LOCAL OFFICIALS ARE INCAPABLE OF PROTECT-

ING THEIR INSTITUTIONALIZED RESIDENTS AND THAT CURRENT REMEDIES AND LOCAL RESOURCES ARE INDEED INADEQUATE. WHILE THE MAJOR ARGUMENT OF UNCONSTITUTIONALITY IS BASED ON THE 10TH AMENDMENT RIGHTS OF THE STATES, THE COUNTER ARGUMENTS HAVE FOCUSED ON THE CONSTITUTION BEING THE 'SUPREME LAW OF THE LAND' AND ON THE 13TH AND 14TH AMENDMENTS. ALTHOUGH THE JUSTICE DEPARTMENT HAS NEVER LOST A CASE IN WHICH IT HAS INTERVENED ON THE RIGHTS OF AN INSTITUTIONALIZED INDIVIDUAL, IT HAS NOT HAD SIMILAR SUCCESS IN INITIATING SUITS BECAUSE THE COURTS HAVE UPHELD THE STATES' CLAIMS OF FEDERALISM; I.E., STRICT SEPARATION OF FEDERAL AND STATE AUTHORITY. SUPPORTERS OF HR 9400 WANT THE JUSTICE DEPARTMENT INVOLVED IN INSTITUTIONALIZED RIGHTS ENFORCEMENT BECAUSE OF THE DEPARTMENT'S CREDIBILITY; QUALITY STAFF; AND FINANCIAL INVESTIGATIVE, AND PROFESSIONAL RESOURCES. FURTHER, IT IS SUGGESTED THAT DEPARTMENT INVOLVEMENT IN MAJOR AND SIGNIFICANT CASES COULD PROVIDE A MEANS OF SETTING FAR-REACHING PRECEDENTS FOR STATE INSTITUTIONAL STANDARDS WITH A RELATIVELY MODEST COMMITMENT OF RESOURCES.

113. **R. BRANDON and C. DAVIES. WRONGFUL IMPRISONMENT—MISTAKEN CONVICTIONS AND THEIR CONSEQUENCES.** 296 p. 1973. **NCJ-11965**
REVIEW OF THE CAUSES AND EFFECTS OF ENGLISH CRIMINAL CASES IN WHICH DEFENDANTS WERE EXONERATED BY PARDONS AND A COMPARISON TO FRENCH AND AMERICAN SYSTEMS. THE MATERIAL WAS COLLECTED FROM PUBLIC RECORDS AND INTERVIEWS WITH THE PEOPLE INVOLVED. AMONG THE CAUSES OF FALSE IMPRISONMENT IDENTIFIED WERE MISIDENTIFICATION, CONFESSIONS BY THE MENTALLY DEFECTIVE OR BY THOSE HOPING FOR LENIENCY, PERJURY BY WITNESSES OR OTHER SUSPECTS, MISLEADING DYING DECLARATIONS, AND MISTAKES DURING JOINT TRIALS. THE EXTRA-JUDICIAL PROCEDURES EMPLOYED BY THE DEFENDANTS, THEIR FAMILIES, AND INTERESTED NEWSPAPERS ARE SURVEYED, AND THE DIFFICULTIES, BOTH SOCIAL AND FINANCIAL, FACED BY THE PARDONED MEN ARE HIGHLIGHTED.
Availability: SHOE STRING PRESS, 995 SHERMAN AVENUE, HAMDEN CT 06514.

114. **J. P. COZZOLINO. CRIMINAL JUSTICE AND THE MENTALLY RETARDED.** 198 p. 1977. **NCJ-45397**
THE STUDY EXAMINES HOW COURTS IN THE UNITED STATES DECIDE THE ISSUE OF CRIMINAL RESPONSIBILITY WHEN FACED WITH A MENTALLY RETARDED DEFENDANT. MENTAL RETARDATION IS DEFINED AS SUBAVERAGE INTELLIGENCE EXISTING CONCURRENTLY WITH SIGNIFICANT DEFICITS IN ADAPTIVE BEHAVIOR AND ORIGINATING DURING THE FIRST 18 YEARS OF LIFE. THE CONCEPT OF MENTAL RETARDATION IS DISCUSSED IN DETAIL, INCLUDING A DESCRIPTION OF THE CONDITION, ITS PREVALENCE, IDENTIFICATION AND CLASSIFICATION, AND ITS RELATIONSHIP TO CRIMINAL ACTIVITY. THOUGHT ON CRIMINAL RESPONSIBILITY IN ANGLO-SAXON LAW OVER THE YEARS IS TRACED IN ORDER TO PROVIDE A HISTORICAL PERSPECTIVE. CONTEMPORARY RULES REGARDING CRIMINAL RESPONSIBILITY ARE THEN EXAMINED, BEGINNING IN 1843 WITH THE M'NAGHTEN RULES. THESE ESSENTIALLY CONSIST OF A TEST OF THE DEFENDANT'S KNOWLEDGE OF LAW AND MORALS. OTHER TESTS CONSIDERED ARE THE IRRESISTIBLE-IMPULSE RULE, THE PRODUCT RULE, AND THE MODEL PENAL CODE STANDARD AND VERMONT RULE; THE PROVISIONS OF EACH AND THEIR MAJOR CRITICISMS ARE OUTLINED. IN ADDITION, THE ISSUE OF ABOLITION OF THE INSANITY DEFENSE IS EXAMINED. THE PUNISHMENT VERSUS TREATMENT CONTROVERSY IS DISCUSSED. THE CONCEPTS THEMSELVES ARE EXPLORED TO DISTINGUISH THE THEORETICAL DIFFERENCES BETWEEN THEM. THEN THE ACTUAL PERFORMANCE OF PRISONS (DESIGNED FOR PUNISHMENT) AND MENTAL HEALTH INSTITUTIONS (DESIGNED FOR TREATMENT) ARE PRESENTED, ALONG WITH A DISCUSSION OF THE DEVELOPMENT AND HISTORY OF THESE FACILITIES. THE CONCEPT OF NORMALIZATION (I.E., THE BELIEF THAT THE MENTALLY RETARDED SHOULD BE ALLOWED TO LEAD AS NORMAL A LIFE AS POSSIBLE) AND ITS SIGNIFICANCE FOR DETERMINING CRIMINAL RESPONSIBILITY ARE EXAMINED. RECOMMENDATIONS ARE MADE FOR CHANGING METHODS OF DETERMINING CRIMINAL RESPONSIBILITY AMONG MENTALLY RETARDED OFFENDERS, AND A DISCUSSION IS PRESENTED OF WHAT CONSIDERATIONS THE COURT SHOULD TAKE INTO ACCOUNT WHEN DECIDING THE DISPOSITION OF A CASE IN WHICH THE DEFENDANT HAS BEEN FOUND NOT RESPONSIBLE. THE PRIMARY RECOMMENDATION CONCERNS THE IMPLEMENTATION OF A PROCEDURE WHICH WOULD ALLOW THE DECISION OF CRIMINAL RESPONSIBILITY FOR A PARTICULAR PERSON TO BE MADE OUTSIDE OF THE EMOTIONAL ATMOSPHERE OF A CRIMINAL PROCEEDING. REFERENCES ARE PROVIDED.
Supplemental Notes: UNIVERSITY OF MASSACHUSETTS—DOCTORAL DISSERTATION.
Availability: UNIVERSITY MICROFILMS, 300 NORTH ZEEB ROAD, ANN ARBOR MI 48106. Stock Order No. GAX77-26416.

115. **D. D. DAVIS. ADDRESSING THE CONSENT ISSUE INVOLVED IN THE STERILIZATION OF MENTALLY INCOMPETENT FEMALES.** UNION UNIVERSITY ALBANY LAW SCHOOL, 80 NEW SCOTLAND AVENUE, ALBANY NY 12208. *ALBANY LAW REVIEW*, V 43, N 2 (WINTER 1979), P 322-338. **NCJ-65008**
THE PROBLEM OF OBTAINING LEGAL AUTHORIZATION FOR MEDICALLY DESIRABLE STERILIZATION OF MENTALLY INCOMPETENT FEMALES IS EXAMINED. COMMON LAW AUTHORIZATIONS USED BY COURTS ARE EVALUATED AND PROPOSED LEGISLATION OUTLINED. CURRENTLY, MENTALLY DEFICIENT FEMALES MAY BE DENIED THEIR RIGHT TO DECIDE WHETHER TO BEAR A CHILD BECAUSE THEY ARE INCAPABLE OF CONSCIOUS CHOICE. SEVERAL STATES MAINTAIN COMPULSORY STERILIZATION STATUTES PERMITTING STERILIZATION OF INCOMPETENTS WITHOUT THEIR CONSENT. THE PURPOSE OF SUCH STATUTES USUALLY IS TO PREVENT THE PURPORTED FURTHER SPREAD OF INCOMPETENCE; THE MENTAL INCOMPETENT MAY BE STERILIZED EVEN THOUGH IT IS NOT WITHIN HER BEST INTERESTS. THIS HAS RAISED CONSTITUTIONAL ISSUES (BUCK V. BELL; SKINNER V. OKLAHOMA). IN THE ABSENCE OF THIS LEGISLATION, COURTS HAVE USED THREE METHODS TO PROVIDE JURISDICTION FOR STERILIZATION AUTHORIZATION; SUBSTITUTED JUDGMENT, WHEREBY OTHER PARTIES, USUALLY THE WOMAN'S PARENTS, GIVE CONSENT; PARENS PATRIE, THE COMMON LAW JURISDICTION TO SECURE THE WELFARE OF INCOMPETENTS; AND BROAD INTERPRETATIONS OF EXISTING STATUTES. THE INCONSISTENCY OF THE LAW ON SUCH COURT-ORDERED STERILIZATIONS HAS CAUSED DOCTORS AND HOSPITALS TO REFUSE TO PERFORM STERILIZATIONS ON INCOMPETENTS FOR FEAR OF CIVIL LIABILITY EVEN THOUGH THE PROCEDURE MIGHT BE MEDICALLY DESIRABLE. THESE FEMALES SHOULD NOT BE DENIED A STERILIZATION IN THEIR BEST INTEREST. INSTEAD, STATE LEGISLATURES SHOULD SAFEGUARD THIS RIGHT OF THE INCOMPETENT THROUGH A CAREFULLY FORMULATED GRANT OF JURISDICTION TO AUTHORIZE STERILIZATION. THE STATE'S INTEREST IN SUCH LEGISLATION SHOULD BE SOLELY TO PROTECT THE BEST INTERESTS OF THE INCOMPETENT FEMALE. FOOTNOTES ARE INCLUDED.

116. **J. E. DIEHL. STERILIZATION OF THE MENTALLY RETARDED—RUBY V MASSEY 452 F SUPP 361 (D CONN 1978).** CAPITAL UNIVERSITY LAW REVIEW, CAPITAL UNIVERSITY, COLUMBUS OH 43209. *CAPITAL UNIVERSITY LAW REVIEW*, V 9, N 1 (1979), P 191-206. **NCJ-65017**

A COURT DECISION GRANTING AUTHORIZATION FOR THE STERILIZATION OF THREE NONINSTITUTIONALIZED RETARDED SISTERS IS REVIEWED WITH EMPHASIS ON ISSUES NEGLECTED IN THE DELIBERATIONS. THE CONNECTICUT DECISION OF RUBY V. MASSEY WAS BASED ON EXTENSION OF THE STATE STATUTE ALLOWING STERILIZATION OF INSTITUTIONALIZED MENTALLY RETARDED INDIVIDUALS. THE COURT REASONED THAT TO DENY THE PETITIONERS WOULD VIOLATE THE CONSTITUTIONAL RIGHT OF THE NONINSTITUTIONALIZED TO EQUAL PROTECTION. THE FIRST OPTION REJECTED WAS DISMISSAL OF THE PETITION FOR LACK OF APPLICABLE JURISDICTION, WHICH WOULD HAVE LED TO THE TOTAL UNAVAILABILITY OF STERILIZATION FOR RETARDED CHILDREN. THE SECOND OPTION, CHOSEN BY THE COURT, WAS TO DEAL WITH THE CONSTITUTIONALITY OF THE STATE STATUTE. THE STATUTE COULD HAVE BEEN STRUCK DOWN, BUT IT WAS EXTENDED INSTEAD TO APPLY TO ALL MENTALLY RETARDED INDIVIDUALS. AS IT STANDS, THE STATUTE IS PROCEDURALLY DEFECTIVE, WITHOUT SAFEGUARDS OR GUIDELINES FOR ITS APPLICATION. IN CONTRAST, A MORE ADEQUATE NORTH CAROLINA STATUTE STATES OBJECTIVES FOR STERILIZATION DEFINING WHEN IT IS IN THE BEST INTERESTS OF THE INDIVIDUAL, IN THE PUBLIC GOOD, OR DESIRABLE FOR PREVENTION OF DEFECTIVE OFFSPRING. MOREOVER, THE NORTH CAROLINA STATUTE REQUIRES THE FEMALE'S CONSENT OR PROOF OF EXPLANATION TO THOSE INCAPABLE OF CONSENT, AND PROOF OF THE INCOMPETENT'S MENTAL DEFICIENCY. THE OPTIMUM RULING IN CONNECTICUT SHOULD HAVE PROTECTED THE MENTALLY RETARDED INDIVIDUAL'S FUNDAMENTAL RIGHTS WHILE ALSO SECURING THE MEDICALLY INDICATED STERILIZATIONS. THIS COULD HAVE BEEN ACHIEVED THROUGH THE THIRD OPTION, SUBSTITUTED JUDGMENT, WHICH ALLOWS PARENTS TO SUBSTITUTE WHAT THEY FEEL WOULD BE THE INCOMPETENT PERSON'S DECISION. HAD THE COURT TAKEN THIS INITIATIVE, THE FULL PROTECTION OF RIGHTS AS WELL AS EQUITABLE DECISIONS WOULD HAVE BEEN ENSURED. AS IT IS, THE CASE SETS A PRECEDENT FOR THE 13 STATES WITH EXISTING STATUTES ONLY. THE DOCTRINE OF SUBSTITUTED JUDGMENT SUPPLEMENTED WITH GUIDELINES WOULD HAVE SET A PRECEDENT FOR COURTS NATIONWIDE. FOOTNOTES ARE INCLUDED.

117. **H. FINGARETTE. DISABILITIES OF MIND AND CRIMINAL RESPONSIBILITY—A UNITARY DOCTRINE.** COLUMBIA UNIVERSITY SCHOOL OF LAW, 435 WEST 116TH STREET, NEW YORK NY 10027. *COLUMBIA LAW REVIEW*, V 76, N 2 (MARCH 1976), P 236-266. **NCJ-34677**

DEVELOPMENT OF A DOCTRINE OF LAW DEFINING THE RELATION BETWEEN MENTAL DISABILITY AND CRIMINAL RESPONSIBILITY. CONCEPTS WHICH ARE VALID FOR LAW, MORALITY, AND COMMON SENSE ARE DISCUSSED AND DEVELOPED IN DETAIL IN RELATION TO RELEVANT LEGAL AND SCIENTIFIC BACKGROUND. THE MAJOR BENEFIT IN USING THE DISABILITY OF MIND DOCTRINE PROPOSED IN THE ARTICLE TO ANALYZE INDIVIDUAL CASES IS THAT IT IS NOT HINDERED BY THE OBSCURITIES INHERENT IN SPECIAL DEFENSES SUCH AS INSANITY, DIMINISHED MENTAL CAPACITY, ABSENCE OF SPECIFIC INTENT DUE TO INTOXICATION, AND UNCONSCIOUSNESS. THE AUTHOR FEELS THAT THIS PROTECTS THE FUNDAMENTAL PRINCIPLE OF COMMON LAW JUSTICE—THAT A PERSON NOT BE CRIMINALLY CONDEMNED FOR HARMS FOR WHICH HE IS NOT RESPONSIBLE—WHILE PROVIDING A SIMPLY FORMULATED POLICY WITH DUE REGARD TO SOCIAL PROTECTION.

118. **H. FINGARETTE and A. F. HASSE. MENTAL DISABILITIES AND CRIMINAL RESPONSIBILITY.** UNIVERSITY OF CALIFORNIA PRESS, 2223 FULTON, BERKELEY CA 94720. 332 p. 1979. **NCJ-58806**

MAJOR CURRENT DOCTRINES REGARDING CRIMINAL RESPONSIBILITY OF THE OFFENDER SUFFERING A MENTAL DISABILITY ARE ANALYZED, AND A UNIFYING DOCTRINE TO REPLACE THE CURRENT MULTIPLICITY OF DOCTRINES IS PROPOSED. CURRENT LEGAL DOCTRINE ON CRIMINAL DEFENSES RELATING TO MENTAL DISABILITIES AT THE TIME OF THE OFFENSE EITHER COMPLETELY EXCULPATE THE ACCUSED (INSANITY, UNCONSCIOUSNESS, AUTOMATISM), PARTIALLY EXCULPATE THE ACCUSED (INTOXICATION FROM ALCOHOL OR OTHER DRUGS, DIMINISHED MENTAL CAPACITY), OR HAVE AS YET ERRATIC EXCULPATORY FORCE (ADDICTION TO ALCOHOL OR OTHER DRUGS). IN CURRENT CRIMINAL LAW, THE ISSUE OF MENTAL DISABILITY IS CONFUSED BY AN ARRAY OF SPECIAL DEFENSES, LEGAL DOCTRINES, AND PROCEDURES AND FORMS OF VERDICT; THE LATTER ARE OFTEN LINKED ERRATICALLY WITH POSTVERDICT DISPOSITIONAL ISSUES, ALL OF WHICH CAN VARY FROM ONE JURISDICTION TO ANOTHER. THE DESIRABILITY OF A UNIFIED AND REALISTIC BASIC DOCTRINE FOR ASSESSING THE CRIMINAL RESPONSIBILITY OF THE MENTALLY DISABLED IS APPARENT. A PROPOSAL CALLED THE DISABILITY OF MIND DOCTRINE IS A NEW APPROACH FOR EXPRESSING THE DISTINCTIVE MORAL AND LEGAL BASIS FOR LESSENING OR NEGATING CRIMINAL RESPONSIBILITY WHERE THERE IS MENTAL DISABILITY. THE DOCTRINE IS BASICALLY DERIVED FROM THREE LINKED INTUITIONS: (1) SOMEONE WHOSE BEHAVIOR HAS ITS SOURCE IN A DERANGED MIND IS NOT IN THAT RESPECT ACTING AS A RESPONSIBLE PERSON AND CANNOT BE JUDGED MORALLY CULPABLE FOR OFFENSES COMMITTED; (2) IF A PERSON CULPABLY PRODUCES A DERANGEMENT OF MIND, AS FOR EXAMPLE IN THE EXCESSIVE USE OF ALCOHOL OR DRUGS, THAT ORIGINATING RESPONSIBLE ACT SHOULD BE PLACED IN BALANCE IN ASSESSING THE ULTIMATE CULPABILITY OF THE OFFENDER; AND (3) REGARDLESS OF CULPABILITY, IF MENTAL DISABILITY IS FOUND TO HAVE BEEN THE SOURCE OF CRIMINALLY PROHIBITED BEHAVIOR, THE PERSON SO DISABLED SHOULD BE SUBJECT TO POSTVERDICT MENTAL EXAMINATION AND, WHERE SUITABLY SHOWN TO BE NECESSARY, SUBJECT TO MEDICAL OR OTHER SUPERVISION UNDER APPROPRIATE LEGAL AND SOCIAL POLICIES. THE APPENDIXES PROVIDE A SUGGESTED MODEL FOR BOTH JURY INSTRUCTIONS AND THE ENGLISH LAW CONTEXT FOR THE DISABILITY-OF-MIND DOCTRINE. A BIBLIOGRAPHY AND INDEX ARE PROVIDED.

Availability: UNIVERSITY OF CALIFORNIA PRESS, 2223 FULTON, BERKELEY CA 94720.

119. **L. G. FORER. PROTECTION FROM AND PREVENTION OF PHYSICAL ABUSE—THE NEED FOR NEW LEGAL PROCEDURES (FROM VIOLENCE AND RESPONSIBILITY, 1978, BY ROBERT L SADOFF—SEE NCJ-53974).** SPECTRUM PUBLICATIONS, INC, 75-31 192ND STREET, FLUSHING NY 11366. 12 p. 1978. **NCJ-53979**

WAYS OF IMPROVING LEGAL PROTECTION FOR THOSE WHO BY AGE, MENTAL CONDITION, INSTITUTIONALIZATION, OR LEGAL STATUS ARE PARTICULARLY VULNERABLE TO PHYSICAL ABUSE ARE SUGGESTED. EXISTING LAWS AND PROCEDURES ARE INADEQUATE FOR ADDRESSING THE NEEDS OF PEOPLE WHO ARE SUBJECT TO REPEATED ABUSE BY KNOWN AGGRESSORS. THESE VULNERABLE PEOPLE ARE THOSE WHO ARE PHYSICALLY, MENTALLY, OR LEGALLY AT THE MERCY OF MORE POWERFUL INDIVIDUALS; E.G., BATTERED CHILDREN, INSTITUTIONALIZED PERSONS SUBJECTED TO ABUSE BY FELLOW INMATES AND CUSTODIANS, ELDERLY PEOPLE WHO ARE PHYSICALLY WEAK AND/OR ECONOMICALLY AND SOCIALLY DEPENDENT, AND BATTERED WIVES. AS A FIRST STEP, ALL PHYSICAL VIOLENCE SHOULD BE REGARDED AS A CRIME, INCLUDING CORPORAL PUNISHMENT OF CHILDREN IN SCHOOLS AND IN THE HOME, AND PHYSICAL MISTREATMENT OF PRISONERS, ARMY RECRUITS, AND ALL PEOPLE IN INSTITUTIONS. AFTER THE FIRST

KNOWN ACT OF VIOLENCE AGAINST A VULNERABLE PERSON, THE LAW SHOULD ACT TO PROTECT THE VICTIM FROM SUBSEQUENT VIOLENCE BY MAKING AVAILABLE PSYCHIATRIC THERAPY FOR THE AGGRESSOR AND PHYSICAL AND PSYCHIATRIC CARE FOR THE VICTIM. BECAUSE NEITHER OF THESE GOALS CAN BE ATTAINED QUICKLY UNDER THE CRIMINAL SANCTION, ALTERNATE CIVIL REMEDIES (E.G., TEMPORARY RESTRAINING ORDERS) SHOULD BE MADE AVAILABLE. THE RULES OF EVIDENCE APPLICABLE IN CRIMINAL CASES INVOLVING ACTS OF VIOLENCE AGAINST VULNERABLE PEOPLE SHOULD REASONABLY REFLECT THE REALITIES OF THE SITUATION. FOR EXAMPLE, IF A VULNERABLE PERSON IS PHYSICALLY ABUSED AND THERE IS EVIDENCE OF BRUISES, FRACTURES, OR OTHER VERIFIABLE INJURIES, THE BURDEN OF PROOF SHOULD SHIFT TO THE ALLEGED ABUSER TO SHOW HOW THE INJURIES WERE INFLICTED. IT IS ALSO NECESSARY TO ASSURE, THROUGH LICENSING AND/OR MONITORING, THAT ALL COUNSELORS AND THERAPISTS ARE QUALIFIED TO MEET THE NEEDS AND TO PROTECT THE LEGAL RIGHTS OF VULNERABLE PERSONS SUFFERING FROM ABUSE. FREE CLINICS SHOULD BE ESTABLISHED TO PROVIDE PHYSICAL TREATMENT AND PSYCHOTHERAPY FOR VICTIMS OF VIOLENT ACTS. THESE PROPOSALS SHOULD BE EXPLORED AND REFINED COOPERATIVELY BY THE LEGAL AND PSYCHIATRIC PROFESSIONS.

120. **P. FRIEDMAN. MENTAL RETARDATION AND THE LAW—A REPORT ON STATUS OF CURRENT COURT CASES.** US EXECUTIVE OFFICE OF THE PRESIDENT PRESIDENT'S COMMITTEE ON MENTAL RETARDATION, 7TH AND D STREETS SW RO BG, WASHINGTON, DC 20515. 43 p. 1978. **NCJ-65558**

DEVELOPED FOR THE PRESIDENT'S COMMISSION ON MENTAL RETARDATION, THIS PUBLICATION CONTAINS REPORTS ON 5 NEW CASES, UPDATED INFORMATION ON 29 OLDER CASES, AND AN ARTICLE ON THE RETARDED OFFENDER. CASES REPORTED FOR THE FIRST TIME INCLUDE PHOENIX PLACE, INC., ET AL. V. MICHIGAN DEPARTMENT OF HEALTH, WHERE PHOENIX PLACE, INC., A NONPROFIT CORPORATION, WAS PLAINTIFF IN A CLASS ACTION SUIT CONCERNING THE ISSUE OF PRIVACY FOR THE MENTALLY RETARDED; DOE V. GRILE (INDIANA), WHERE PLAINTIFFS IN A CLASS-ACTION SUIT WERE 113 SEVERELY RETARDED CHILDREN CLAIMING THE STATE HAD FAILED TO PROVIDE APPROPRIATE SPECIAL EDUCATION SERVICES; AND WOODS, ET AL., V NEW YORK CITY BOARD OF EDUCATION, WHERE PLAINTIFFS WERE TWO MENTALLY RETARDED CHILDREN WHO WERE HEPATITIS B CARRIERS AND WHO ALLEGED THEY WERE DENIED DUE PROCESS AND HOME INSTRUCTION UPON SUSPENSION FROM PUBLIC SCHOOL. ADDITIONAL CASES WERE KENTUCKY ASSOCIATION FOR RETARDED CITIZENS, ET AL., V. CALIFANO (DISTRICT OF COLUMBIA) REGARDING THE THEN HEALTH EDUCATION AND WELFARE SECRETARY'S ASSURANCE OF MEDICAID FUNDING FOR OUTWOOD, A CUSTODIAL INSTITUTION; AND WASHINGTON ASSOCIATION FOR RETARDED CITIZENS V. THOMAS, A SUIT BROUGHT BY RESIDENTS OF FIVE INSTITUTIONS FOR THE MENTALLY RETARDED CLAIMING VIOLATION OF THEIR CONSTITUTIONAL AND LEGISLATIVE RIGHTS. A LIST OF OLDER AND CLOSED CASES IS BROKEN DOWN INTO SUCH CATEGORIES AS CONFIDENTIALITY AND ACCESS TO RECORD, COMMITMENT, CRIMINAL LAW, CUSTODY, EDUCATION, EMPLOYMENT, TREATMENT, GUARDIANSHIP, STERILIZATION, ZONING AND VOTING. A FEATURE ARTICLE ADDRESSES THE RETARDED OFFENDER AND THE ROLE OF CORRECTIONS, NOTING DISTINCTIONS BETWEEN MENTAL ILLNESS AND RETARDATION, THE ISSUE OF COMPETENCY, THE INCIDENCE OF CONVICTION, THE USE OF PROBATION AND PAROLE, RECIDIVISM, AND PROGRAM DEVELOPMENT FOR RETARDED OFFENDERS. THE ARTICLE PROVIDES A BIBLIOGRAPHY.

121. **J. J. GOBERT. COMPETENCY TO STAND TRIAL—A PRE- AND POST-JACKSON ANALYSIS.** TENNESSEE LAW REVIEW ASSOCIATION, 1505 WEST CUMBERLAND AVENUE, KNOXVILLE TN 37916. *TENNESSEE LAW REVIEW*, V 40, N 4 (SUMMER 1973), P 659-688. **NCJ-17735**

IN JACKSON V. INDIANA (1972), THE SUPREME COURT HELD THAT DUE PROCESS AND EQUAL PROTECTION RIGHTS OF DEFENDANT, A PERMANENTLY RETARDED DEAF MUTE, WERE VIOLATED BY AN ORDER OF COMMITMENT UNTIL COMPETENCY WAS RESTORED. IN THIS CASE, THE DEFENSE ARGUED THAT THE COURT ORDERED CONFINEMENT WAS THE EQUIVALENT OF A LIFE SENTENCE WITHOUT CRIMINAL CONVICTION, SINCE THERE WAS NO QUESTION OF THE DEFENDANT'S COMPETENCY BEING RESTORED. AN ANALYSIS OF PRE-JACKSON CASE LAW SHOWS THAT INCOMPETENT DEFENDANTS USED TO BE AUTOMATICALLY COMMITTED TO A MENTAL INSTITUTION REGARDLESS OF CULPABILITY, SERIOUSNESS OF THE OFFENSE CHARGED, OR MERITS OF STRENGTH OF THE CASE. EXPLORED ARE CONSTITUTIONAL OBJECTIONS TO THIS PRACTICE, WHICH CENTER AROUND THE CONSITUTIONAL DEPRIVATIONS THE DEFENDANT SUFFERS AS COMPARED WITH OTHER INDIVIDUALS ACCUSED OF CRIME, AND THE INEQUALITIES OF PROCESS AND TREATMENT HE ENDURES THAT A CIVILLY COMMITTED PATIENT WOULD NOT HAVE TO FACE. THE AUTHOR CRITICIZES THE SUPREME COURT'S EQUAL PROTECTION ANALYSIS OF JACKSON, WHICH WAS BASED ON THE DIFFERENCES IN COMMITMENT AND RELEASE STANDARDS FOR CIVILLY COMMITTED PATIENTS AND DEFENDANTS COMMITTED UNDER THE CRIMINAL PRE-TRIAL PROCEDURE. HE CONTENDS THAT THE HOLDING MAY SUGGEST THAT STATES TREAT DEFENDANTS FOUND INCOMPETENT TO STAND TRIAL AS THEY WOULD CIVILLY COMMITTED INDIVIDUALS, AND THAT COMPETENCY TO STAND TRIAL BE JUDGED BY A CIVIL COMMITMENT STANDARD AND EFFECTUATED ACCORDING TO CIVIL COMMITMENT PROCEDURES. THE AUTHOR SUGGESTS THAT THE BASIS FOR COMMITMENT BE A PROVISIONAL TRIAL'S FINDING THAT THE DEFENDANT COMMITTED THE ACTS ATTRIBUTED TO HIM AND THAT, HAD HE BEEN CRIMINALLY TRIED, HE WOULD HAVE HAD NO DEFENSE TO THE CHARGES. TIME SPENT IN A MENTAL INSTITUTION PURSUANT TO SUCH COMMITMENT WOULD COUNT TOWARDS ANY SUBSEQUENT SENTENCE IMPOSED IF DEFENDANT IS LATER TRIED AND CONVICTED. CHARGES WOULD BE AUTOMATICALLY DISMISSED AFTER DEFENDANT HAS BEEN IN THE MENTAL INSTITUTION FOR A PERIOD EQUAL TO THE MAXIMUM SENTENCE HE COULD HAVE RECEIVED HAD HE BEEN TRIED AND FOUND GUILTY OF THE OFFENSE CHARGED. PRIOR TO THE EXPIRATION OF THIS MAXIMUM TERM, DEFENDANT'S RELEASE FROM THE MENTAL INSTITUTION WOULD BE CONDITIONED ON HIS RECOVERY OF COMPETENCY, AT WHICH POINT HE WOULD BE ENTITLED TO A CONVENTIONAL CRIMINAL TRIAL. TREATMENT DURING THIS HOSPITALIZATION PERIOD WOULD BE GEARED TO THE OBJECTIVE OF RESTORATION OF COMPETENCY, AND THE COURTS BY PERIODIC INQUIRY WOULD MAKE CERTAIN THAT THIS FUNCTION WAS BEING CARRIED OUT. IF IT WAS DETERMINED THAT THE PATIENT WAS PERMANENTLY RETARDED AND UNLIKELY TO EVER REGAIN COMPETENCY, PLACEMENT IN A COMMUNITY MENTAL HEALTH FACILITY FOR THE MENTALLY RETARDED WOULD BE APPROPRIATE. AFTER THIS PERIOD, HOWEVER, THE ISSUE OF DEFENDANT'S COMPETENCY TO STAND TRIAL WOULD BECOME MOOT, AS THE CHARGES WOULD HAVE BEEN DROPPED. (AUTHOR ABSTRACT MODIFIED)

122. **D. E. HAGGERTY, L. A. KANE JR, and D. K. UDALL. ESSAY ON THE LEGAL RIGHTS OF THE MENTALLY RETARDED.** AMERICAN BAR ASSOCIATION, 1155 EAST 60TH STREET, CHICAGO IL 60637. *FAMILY LAW QUARTERLY*, V 6, N 1 (SPRING 1972), P 59-71. **NCJ-65811**

MOST LAWYERS IN GENERAL ARE UNFAMILIAR WITH THE LEGAL RIGHTS OF THE MENTALLY RETARDED; AS A RESULT, THE MENTALLY RETARDED LACK THE PROTECTION OF THOSE RIGHTS. SLIGHTLY MORE THAN 275,000 PEOPLE ARE INSTITUTIONALIZED IN THE NATION'S PUBLIC AND PRIVATE RESIDENTIAL FACILITIES FOR THE MENTALLY RETARDED, AND THERE ARE APPROXIMATELY 21,000 RETARDED PEOPLE IN JAILS (ALMOST 10 PERCENT OF THE INMATE POPULATION). MOST FREQUENTLY, RIGHTS ARE LOST WHEN THE RETARDED PERSON IS UNDER SOME FORM OF GUARDIANSHIP, EITHER INDIVIDUAL OR INSTITUTIONAL. IN AN INSTITUTION, THE RETARDED PERSON MAY SUFFER SOME DEPRIVATION OR LOSS OF RIGHTS BECAUSE OF THE NATURE OF THE INTAKE PROCEDURE. IN THE COMMUNITY, THE RETARDED PERSON IS ALMOST ALWAYS DEPRIVED OF THE RIGHT TO ENTER INTO A CONTRACT (TO MARRY OR EVEN TO BUY A SECONDHAND CAR), TO BE LICENSED, AND TO VOTE. PERSONAL RIGHTS, SUCH AS THE RIGHT OF PRIVACY OR THE RIGHT TO EDUCATION, TREATMENT, OR REHABILITATION WHEN IN PRISON OR IN AN INSTITUTION, MAY BE DENIED. MANY PEOPLE, INCLUDING LAWYERS, ARE UNAWARE THAT A GREAT DIFFERENCE EXISTS BETWEEN PROFOUNDLY AND MILDLY RETARDED INDIVIDUALS, AND THAT MENTAL RETARDATION IS A CONDITION, NOT A DISEASE FROM WHICH PERSONS RECOVER. IN ADDITION, THERE IS A GENERAL FAILURE TO DISTINGUISH BETWEEN MENTAL RETARDATION AND MENTAL ILLNESS, PARTICULARLY IN CASES WHERE A RETARDED PERSON IS CHARGED WITH HAVING COMMITTED A CRIME. RETARDED PERSONS ARE LESS LIKELY TO HAVE A FAIR TRIAL, SINCE THEY CANNOT UNDERSTAND THE CHARGE AND DEFEND THEMSELVES. THEREFORE, THEY MAY BE INSTITUTIONALIZED, IN SOME CASES FOR LIFE, FOR CRIMES THEY DID NOT COMMIT. AN ATTORNEY WHO REPRESENTS A RETARDED DEFENDANT MUST TRY TO FIND SOME WAY OF GETTING THE COURT TO ACCEPT AN ALTERNATIVE TO THE NORMAL CRIMINAL PROCESS. IT IS ADVISED THAT THE ISSUE OF RETARDATION BE RAISED BEFORE THE TRIAL AND DISCUSSED OPENLY AT THAT TIME, THUS GIVING LAWYERS A CLEARER PICTURE OF THEIR CHANCES. FOOTNOTES ARE INCLUDED.

123. **A. L. HALPERN. USE AND MISUSE OF PSYCHIATRY IN COMPETENCY EXAMINATION OF CRIMINAL DEFENDANTS.** INSIGHT COMMUNICATIONS, INC. *PSYCHIATRIC ANNALS*, V 5, N 4 (APRIL 1975). **NCJ-29126**

ARGUMENT THAT THE ISSUE OF A PERSON'S FITNESS TO STAND TRIAL HAS RESULTED IN AN INCREASING MISUSE OF PSYCHIATRY BY THE COURTS AND SHOULD BE ELIMINATED IN THE BEST INTERESTS OF JUSTICE, THE COMMUNITY, AND THE DEFENDANT. THE AUTHOR IDENTIFIES AND DISCUSSES SEVERAL FACTORS WHICH HE CONTENDS FACILITATE THE MISUSE OF PSYCHIATRY UNDER THE EXISTING CRIMINAL JUSTICE SYSTEM. THESE INCLUDE AN ADVERSARY SYSTEM WHICH PERMITS PROSECUTORS AND JUDGES TO RAISE THE ISSUE OF THE ACCUSED'S UNFITNESS TO PROCEED TO ACCOMPLISH THE GOAL OF INDETERMINATE, PREVENTIVE, AND/OR LONG-TERM DETENTION OF THE ACCUSED, VARIOUSLY WORDED COMPETENCY STANDARDS WHICH DO NOT (THE AUTHOR MAINTAINS) MEASURE THE ACCUSED'S FITNESS TO STAND TRIAL, AND COMPETENCY CHECKLISTS WHICH REQUIRE A PREDICTIVE ABILITY ON THE PART OF THE PSYCHIATRIST WHICH HE MAY NOT POSSESS. ALSO CONSIDERED ARE THE AMICUS CURIAE ROLE OF THE PSYCHIATRIST AND THE ISSUES OF PLEA AND SENTENCE BARGAINING. IN ADDITION, THE AUTHOR COMPARES THE RIGHT NOT TO BE TRIED ON A CRIMINAL CHARGE WHEN ONE IS UNFIT TO PROCEED WITH THE RIGHT TO A SPEEDY TRIAL. PERTINENT SUPREME COURT CASE LAW IS CITED. HE THEN PRESENTS A PROPOSAL FOR THE TOTAL ABANDONMENT OF THE COMPETENCY ISSUE, SETTING FORTH THE ADVANTAGES TO BOTH THE COMMUNITY AND THE DEFENDANT AND OUTLINING THE SAFEGUARDS NECESSARY TO PROTECT THE RIGHTS OF THE ACCUSED. IN ADDITION, HE SUGGESTS THAT THE AMERICAN PSYCHIATRIC ASSOCIATION PUT LEGISLATURES ON NOTICE THAT ITS MEMBERSHIP WILL BE ADVISED TO WITHDRAW FROM PARTICIPATION IN COMPETENCY EXAMINATIONS AFTER A SPECIFIC PERIOD UNLESS STATUTORY CHANGES ABOLISHING THE TRIABILITY ISSUE AND ESTABLISHING SAFEGUARDS TO PROTECT THE CONSTITUTIONAL RIGHTS OF MENTALLY DISABLED DEFENDANTS ARE ENACTED BY A SPECIFIC DATE. INTERIM GUIDELINES ARE SUGGESTED FOR PSYCHIATRISTS OR DIRECTED TO EXAMINE DEFENDANTS BELIEVED MENTALLY UNFIT TO PROCEED.

124. **J. D. H. HAYS and S. A. EHRLICH. ABILITY OF THE MENTALLY RETARDED TO PLEAD GUILTY.** ARIZONA STATE UNIVERSITY, COLLEGE OF LAW, TEMPE AZ 85281. *ARIZONA STATE LAW JOURNAL*, V 1975, N 4, (1975),. **NCJ-57448**

FACTORS BEHIND COURT DECISIONS TO LIMIT THE CAPACITY OF MENTALLY RETARDED DEFENDANTS IN MAKING COMPETENT GUILTY PLEAS ARE ADDRESSED. THE ARTICLE WAS PROMPTED BY A CASE BEFORE THE ARIZONA SUPREME COURT THAT CLEARLY PRESENTED THE ISSUE CONCERNING THE ABILITY OF A MENTALLY RETARDED PERSON TO PLEAD GUILTY TO A CRIMINAL OFFENSE. THE DEFENDANT PLEADED GUILTY TO A CHARGE OF VOLUNTARY MANSLAUGHTER, THEREBY AVOIDING A TRIAL FOR FIRST-DEGREE MURDER. HE THEN APPEALED AND ARGUED THAT THE COURT SHOULD NOT HAVE ACCEPTED HIS GUILTY PLEA IN VIEW OF HIS LIMITED MENTAL CAPACITY. THE ARIZONA SUPREME COURT AFFIRMED THE CONVICTION. EITHER INTENT OR CRIMINAL NEGLIGENCE IS AN ELEMENT OF EVERY CRIMINAL OFFENSE IN ARIZONA, BUT THE STATE HAS NO STATUTORY DEFINITION OF MENTAL RETARDATION. THE RESULTS OF A QUESTIONNAIRE SENT TO 58 PSYCHIATRISTS IN THE PHOENIX METROPOLITAN AREA TO EVALUATE HYPOTHETICALLY THE CAPACITY OF MENTALLY RETARDED PERSONS TO STAND TRIAL AND PLEAD GUILTY INDICATE THAT MENTALLY RETARDED DEFENDANTS HAVE THE ABILITY TO UNDERSTAND THE NATURE OF PROCEEDINGS AGAINST THEM; THAT MENTAL RETARDATES HAVE THE ABILITY TO ASSIST AN ATTORNEY IN THEIR DEFENSE; THAT ACCUSED PERSONS DO NOT ALWAYS HAVE THE ABILITY TO MAKE A KNOWING WAIVER OF THE RIGHT TO A JURY TRIAL, THE RIGHT TO CONFRONT THEIR ACCUSERS, AND THE PRIVILEGE AGAINST SELF-INCRIMINATION; AND THAT MENTAL RETARDATES, WHEN PLEADING GUILTY, ARE CAPABLE OF KNOWING THEY CAN BE IMPRISONED FOR A PERIOD OF TIME SET BY THE JUDGE. FOUR PRIMARY FACTORS TO CONSIDER IN MAKING DECISIONS ABOUT THE COMPETENCY OF MENTALLY RETARDED PERSONS IN MAKING GUILTY PLEAS ARE EXAMINED IN DETAIL: (1) CAPACITY TO STAND TRIAL, (2) ADVANTAGES OF ALLOWING A GUILTY PLEA, (3) COMPETENCY TO STAND TRIAL AND PLEAD GUILTY AND WHETHER STANDARDS FOR TRIALS AND GUILTY PLEAS SHOULD DIFFER, AND (4) COMPETENCY TO WAIVE THE RIGHT TO COUNSEL. IT IS RECOMMENDED THAT THE VALIDITY OF A GUILTY PLEA BY A MENTALLY RETARDED DEFENDANT WHO IS COMPETENT TO STAND TRIAL AND WHO HAS THE ADVICE OF COUNSEL BE JUDGED UNDER THE SAME TEST THAT DETERMINES THE VALIDITY OF A GUILTY PLEA BY A DEFENDANT WITH NORMAL MENTAL CAPACITY. CASE LAW IS CITED.

125. **A. V. HINOJOSA. POLICE QUESTIONING.** INTERNATIONAL CRIMINAL POLICE ORGANIZATION, 26 RUE ARMENGAUD, 92210 SAINT CLOUD, FRANCE. *INTERNATIONAL CRIMINAL POLICE REVIEW*, V 33, N 316 (MARCH 1978), P 81-86. **NCJ-50734**

TECHNIQUES FOR QUESTIONING WITNESSES, SUSPECTS, MINORS, FOREIGNERS, THE MENTALLY DISTURBED, AND THE ILLITERATE ARE PROVIDED IN THIS SUMMARY OF A BOOK BASED ON THE PRACTICAL EXPERIENCES OF A POLICE OFFICER IN SPAIN. ALTHOUGH THE LAWS CITED ARE THOSE OF SPAIN, THE TECHNIQUES ARE APPLICABLE IN ANY COUNTRY. THE ARTICLE DISTINGUISHES BETWEEN POLICE QUESTIONING AND QUESTIONING BY MAGISTRATES AND PUBLIC PROSECUTORS. IT DISCUSSES THE QUALITIES OF A GOOD POLICE QUESTIONER AND THE IMPORTANCE OF A QUIET, SECURE PLACE TO CONDUCT THE QUESTIONING. GENERAL PROCEDURES FOR THE ACTUAL QUESTIONING ARE OUTLINED. ALL QUESTIONING SHOULD BE DONE BY ONE PERSON WITH AN OBSERVER TAKING NOTES ON THE BEHAVIOR OF THE PERSON BEING QUESTIONED. IT IS POINTED OUT THAT WHEN MORE THAN ONE PERSON PARTICIPATES IN THE QUESTIONING, THE SUSPECT BECOMES EITHER CONFUSED OR HOSTILE AND IMPORTANT POINTS ARE OVERLOOKED OR REPEATED MECHANICALLY. POLICE OFFICERS ARE WARNED THAT UNCORROBORATED CONFESSIONS DO NOT PROVIDE SUFFICIENT EVIDENCE TO OBTAIN A CONVICTION IN COURT. CAREFUL QUESTIONING OF WITNESSES IS ESSENTIAL TO COMPLETE ANY INVESTIGATION. HOSTILE WITNESSES, WITNESSES WHO HAVE AN INTEREST IN THE OUTCOME, AND TRULY DISINTERESTED WITNESSES ARE DISCUSSED. THE POLICE OFFICER IS WARNED AGAINST PUTTING WORDS INTO THE MOUTHS OF THOSE QUESTIONED AND IS CAUTIONED ALSO AGAINST REVEALING EVIDENCE. IN SPAIN MINORS MUST BE QUESTIONED IN THE PRESENCE OF THEIR PARENTS OR SOME OTHER CLOSE RELATIVE, AND THIS PARENT OR RELATIVE MUST SIGN THE REPORT RESULTING FROM THE INTERVIEW. FOREIGNERS SHOULD HAVE AN OFFICIAL INTERPRETER APPOINTED FOR THEM. MENTALLY OR PHYSICALLY HANDICAPPED PERSONS SHOULD HAVE A DOCTOR OR RELATIVE PRESENT. THE FINAL SECTION DISCUSSES CAREFUL COMPLETION OF THE INTERVIEW REPORT.

126. **T. E. HOLLIDAY. GRANTING WORKMEN'S COMPENSATION BENEFITS TO PRISON INMATES.** UNIVERSITY OF SOUTHERN CALIFORNIA LAW CENTER, LOS ANGELES CA 90007. *SOUTHERN CALIFORNIA LAW REVIEW*, V 46, N 4 (SEPTEMBER 1973), P 1223-1262. **NCJ-17668**

AFTER REVIEWING THE PRISON LABOR PROGRAMS AND THE LAWS WHICH DENY WORKMEN'S COMPENSATION TO INMATES, THE AUTHOR DISCUSSES REHABILITATIVE, ECONOMIC, AND LEGAL ASPECTS OF THESE BENEFITS AND CALLS FOR THEIR EXTENSION TO INMATES. THE AUTHOR OF THIS NOTE CONTENDS THAT GRANTING WORKMEN'S COMPENSATION TO PRISONERS WOULD PROMOTE THE GOAL OF REHABILITATION IN THREE WAYS: IT WOULD REDUCE HOSTILITY OF THE INMATE TOWARDS THE PRISON SYSTEM DUE TO A LOSS OF WAGES RESULTING FROM INJURY; IT WOULD ACT AS A POSITIVE REINFORCEMENT FOR DESIRABLE BEHAVIOR; AND IT WOULD EASE THE TRANSITION TO CIVILIAN LIFE BY IMPROVING JOB SAFETY IN PRISONS AND REDUCING THE NUMBER OF DISABLED PRISONERS, AND BY PROVIDING DISABLED PRISONERS WITH SOME POST-RELEASE FINANCIAL SUPPORT. IT IS ALSO ARGUED THAT THESE BENEFITS SHOULD BE EXTENDED TO DISABLED INMATES BECAUSE DENIAL OF THESE BENEFITS INCREASES THE SOCIETAL COST OF OPERATING CORRECTIONAL INSTITUTIONS, AND DEPRIVES THE PRISONER OF EQUAL PROTECTION OF THE LAW IN VIOLATION OF THE FOURTEENTH AMENDMENT TO THE UNITED STATES CONSTITUTION. (AUTHOR ABSTRACT MODIFIED)

127. **H. H. KAY and L. J. FARNHAM. LEGAL PLANNING FOR THE MENTALLY RETARDED—THE CALIFORNIA EXPERIENCE.** UNIVERSITY OF CALIFORNIA, BERKELEY SCHOOL OF LAW, BERKELEY CA 94720. *CALIFORNIA LAW REVIEW*, V 60, N 2 (MARCH 1972), P 439-530. **NCJ-05158**

FULL LEGAL PROTECTION IS URGED FOR MENTALLY RETARDED CHILDREN AND ADULTS. A STUDY OF THE IMPACT OF THE LAW ON THE LIVES OF MENTALLY RETARDED PERSONS AND THEIR FAMILIES. THE STUDY IS CONCERNED WITH THREE OBJECTIVES: UNDERSTANDING THE THEORETICAL BASIS FOR REQUIRING COURT COMMITMENT AS A PART OF THE HOSPITAL ADMISSION PROCESS, DETERMINING TO WHAT EXTENT LEGAL CONSIDERATIONS MOTIVATE PARENTS IN PLACING CHILDREN IN INSTITUTIONS, AND ASCERTAINING HOW THE RELATIVELY INFLEXIBLE CONCEPT OF LEGAL GUARDIANSHIP COULD BE ALTERED SO THAT IT COULD BETTER SERVE INDIVIDUAL NEEDS.

128. **M. KINDRED, J. COHEN, D. PENROD, and T. SHAFFER, Eds. MENTALLY RETARDED CITIZEN AND THE LAW.** 767 p. 1976. **NCJ-35524**

LAWYERS, SOCIAL SCIENTISTS, MENTAL RETARDATION PROFESSIONALS, AND EDUCATORS CONTRIBUTED 22 ARTICLES (EACH ONE ACCOMPANIED BY ONE OR MORE REACTION PAPERS) ON THE LEGAL RIGHTS OF MENTALLY RETARDED CITIZENS. MAJOR SECTIONS DEAL WITH THE PERSONAL AND CIVIL RIGHTS OF MENTALLY RETARDED CITIZENS; THE RIGHTS OF MENTALLY RETARDED CITIZENS WITHIN COMMUNITY SYSTEMS; INSTITUTIONALIZATION AND THE RIGHTS OF MENTALLY RETARDED CITIZENS; AND THE MENTALLY RETARDED CITIZEN AND THE CRIMINAL JUSTICE PROCESS. ALL THREE CHAPTERS OF THE FINAL SECTION ARE ABSTRACTED INDIVIDUALLY. THEY INCLUDE THE CRIMINAL REFORM MOVEMENT (NCJ-35525), CORRECTIONS (NCJ-35526), AND SPECIAL DOCTRINAL TREATMENT IN CRIMINAL LAW (NCJ-35527). AN INDEX IS PROVIDED.

Availability: FREE PRESS, 866 THIRD AVENUE, NEW YORK NY 10022.

129. **B. KRAMER, Ed. SILENT MINORITY.** US PRESIDENT'S COMMITTEE ON MENTAL RETARDATION, 7TH AND D STREETS, SW, WASHINGTON DC 20024. 48 p. 1976. **NCJ-46976**

LEGAL PROBLEMS CONFRONTING MENTALLY RETARDED CITIZENS AND WAYS THAT LAY PERSONS, ATTORNEYS, AND PUBLIC OFFICIALS CAN HELP ASSURE THE RIGHTS OF THE MENTALLY RETARDED ARE DISCUSSED. THE PUBLICATION COMBINES HIGHLIGHTS FROM A 1973 CONFERENCE ON THE MENTALLY RETARDED CITIZEN AND THE LAW WITH CASE EXAMPLES TO EXPLAIN WAYS IN WHICH RETARDED CHILDREN AND ADULTS ENCOUNTER LEGAL BARRIERS TO LIFE, LIBERTY, AND THE PURSUIT OF HAPPINESS. LEGAL PROBLEMS ARE IDENTIFIED IN A NUMBER OF AREAS—EDUCATION, EMPLOYMENT, AND COURTS, AND THE MENTALLY RETARDED PRISONER—AND STEPS THAT INDIVIDUAL CITIZENS CAN TAKE TO PROTECT THE BASIC RIGHTS OF THE MENTALLY RETARDED ARE INDICATED. LAY PERSONS ARE URGED TO ADVOCATE FOR RETARDED PERSONS AND TO SUPPORT LOCAL MEASURES ENABLING THE RETARDED TO ENJOY FULL RIGHTS. ATTORNEYS ARE ADVISED TO FAMILIARIZE THEMSELVES WITH THE SPECIAL LEGAL PROBLEMS OF RETARDED CITIZENS AND TO ENCOURAGE CONSIDERATION OF THESE MATTERS IN LAW SCHOOLS AND BAR ASSOCIATIONS. PUBLIC OFFICIALS ARE URGED TO REVIEW THE EFFECT OF THEIR PROGRAMS ON THE RETARDED AND TO TAKE STEPS TO MAKE PROGRAMS FULLY RESPONSIVE TO THE RIGHTS OF RETARDED CITIZENS. ORGANIZATIONS THAT CAN PROVIDE INFORMATION ON THE LEGAL RIGHTS OF MENTALLY RETARDED CITIZENS ARE LISTED. PHOTOGRAPHS ILLUSTRATE THE TEXT.

Sponsoring Agency: US DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, 330 INDEPENDENCE AVENUE, SW, WASHINGTON DC 20201.

Availability: GPO Stock Order No. 040-000-00335-3; NCJRS MICROFICHE PROGRAM.

130. **LEGAL SERVICES CORPORATION, PUBLIC AFFAIRS OFFICE, 733 15TH STREET, WASHINGTON DC 20005. LEGAL SERVICES CORPORATION—ANNUAL REPORT—FISCAL YEAR 1977.** 52 p. **NCJ-46178**

IN 1977, THE LEGAL SERVICE CORPORATION SPENT 93 PERCENT OF ITS $125 MILLION APPROPRIATION SUPPORTING PROGRAMS DIRECTLY PROVIDING LEGAL SERVICES TO THE POOR AND 3 PERCENT ON EXPERIMENTAL PROJECTS; ITS WORK IS SUMMARIZED. THIS STATISTICAL AND NARRATIVE REPORT SUMMARIZES EXPANSION AND IMPROVEMENT EFFORTS TO BRING LEGAL SERVICES TO MORE OF THE APPROXIMATELY 29 MILLION PERSONS ELIGIBLE FOR LEGAL SERVICE CORPORATION AID. SPECIAL EFFORTS HAVE BEEN MADE TO REACH NATIVE AMERICAN AND MIGRANT PERSONS, SPEAKERS OF LANGUAGES OTHER THAN ENGLISH, AND HANDICAPPED PERSONS. MORE THAN 30 LANGUAGES ARE USED ROUTINELY IN CONDUCTING CORPORATION ACTIVITIES. TWO MAJOR IMPROVEMENTS IN 1977 WERE INCREASED EDUCATIONAL EFFORTS AND THE SIGNING OF CONTRACTS WITH SUPPORT CENTERS TO PROVIDE SPECIALIZED LEGAL AID FOR COMPLEX CASES. THE MAJORITY OF CLIENTS ARE POOR INDIVIDUALS CONCERNED ABOUT UNSOUND HOUSING, INSUFFICIENT HEALTH CARE, UNFAIR COMMERCIAL PRACTICES, CHILD SUPPORT, AND OTHER PERSONAL LEGAL MATTERS. DURING 1977 THE OFFICE OF PROGRAM SUPPORT EXPANDED ITS TRAINING FOR BOTH NEW LAWYERS AND PARALEGALS AS WELL AS EXPERIENCED LAWYERS. THE RESEARCH INSTITUTE ON LEGAL ASSISTANCE UNDERTOOK AN EXTENSIVE REVIEW OF ALL AREAS OF SUBSTANTIVE LAW AFFECTING THE POOR, INCLUDING INCOME MAINTENANCE, HEALTH PROBLEMS, WORK AND RETIREMENT POLICIES, ACCESS TO THE COURTS, FAMILY LAW, RURAL ISSUES, PROBLEMS OF THE ELDERLY, AND THE IMPACT OF ELECTRONIC FUNDS TRANSFER SYSTEMS ON THE POOR. EXPENDITURES FOR VARIOUS PROGRAMS ARE PRESENTED BY REGION. IN GENERAL, 94.7 PERCENT OF THE BUDGET PROVIDES LEGAL ASSISTANCE—92 PERCENT FOR FIELD PROGRAMS, 2.5 PERCENT FOR DEMONSTRATION PROJECTS AND EVALUATION, AND 0.2 PERCENT FOR PROGRAM DEVELOPMENT AND EXPERIMENTATION—WHILE 5.3 PERCENT OF THE BUDGET PROVIDES SUPPORTING ACTIVITIES. THE 2.2 PERCENT SPENT FOR PROGRAM SUPPORT PROVIDES LEGAL SERVICE FOR COMPLEX CASES. OVERVIEWS ARE GIVEN OF MANY LOCAL PROGRAMS. PERSONAL PROFILES ARE GIVEN OF SEVERAL ATTORNEYS WORKING IN LOCAL FIELD OFFICES. THE APPENDIXES CONTAIN A BREAKDOWN OF FUNDING LEVELS FOR EACH PROGRAM ARRANGED BY STATE AND CITY AND FUNDING LEVELS FOR THE YEAR FROM SEPTEMBER 1976 TO AUGUST 1977 FOR DELIVERY SYSTEMS STUDY DEMONSTRATION GRANTS. LEGAL SERVICES CORPORATION FINANCIAL STATEMENTS ARE INCLUDED. THE REPORT IS ILLUSTRATED BY PHOTOGRAPHS.

Availability: NCJRS MICROFICHE PROGRAM.

131. **R. L. MARCH, C. M. FRIEL, and V. EISSLER. ADULT MR (MENTAL RETARDATES) IN THE CRIMINAL JUSTICE SYSTEM.** AMERICAN ASSOCIATION ON MENTAL DEFICIENCY. *MENTAL RETARDATION,* V 13, N 2 (APRIL 1978), P 21-25. **NCJ-50883**

THE CONCEPT OF MENTAL INCOMPETENCE IS ADDRESSED IN RELATION TO THE INCARCERATION OF MENTALLY RETARDED PERSONS, AND LEGAL PROCESSING OF THESE INDIVIDUALS IN THE CRIMINAL JUSTICE SYSTEM IS CONSIDERED. THERE ARE MORE THAN 230,000 ADULT MALES AND FEMALES INCARCERATED IN STATE PRISONS. THE MAJORITY ARE UNDEREDUCATED, UNDERSKILLED, AND FROM CULTURALLY AND FINANCIALLY IMPOVERISHED BACKGROUNDS. THE INCIDENCE OF MENTALLY RETARDED MALE INMATES ENTERING THE CORRECTIONAL SYSTEM IS ESTIMATED TO BE 10 PERCENT. RETARDED INMATES TEND TO BE OLDER, AND 8 OUT OF 10 ARE EITHER BLACK OR MEXICAN-AMERICAN. FOR MENTALLY RETARDED INDIVIDUALS ACCUSED OF A CRIME, LAWS OF INCOMPETENCY POSE SPECIAL PROBLEMS. SUCH LAWS ARE DESIGNED MORE FOR THE MENTALLY ILL OR THE INSANE THAN FOR THE MENTALLY RETARDED. THEY DO NOT RECOGNIZE MENTAL RETARDATION PER SE AS A MENTAL CONDITION THAT RENDERS AN ACCUSED INCOMPETENT TO STAND TRIAL. THE INSANITY DEFENSE FOR MENTALLY RETARDED PERSONS PRESENTS MANY OF THE SAME BASIC PROBLEMS AS LAWS OF INCOMPETENCY: (1) THERE IS THE QUESTION OF WHETHER MENTAL RETARDATION IS OR SHOULD BE A MENTAL CONDITION THAT EXCUSES A PERSON FROM CULPABILITY; (2) IF A MENTALLY RETARDED PERSON IS EXCUSED FROM CULPABILITY, THERE IS THE QUESTION OF WHAT CIRCUMSTANCES MAKE IT PERMISSIBLE FOR THE STATE TO COMMIT THAT PERSON TO A MENTAL INSTITUTION; AND (3) THERE IS THE ISSUE OF HOW LONG THE STATE CAN CONFINE A MENTALLY RETARDED DEFENDANT ACQUITTED BY THE DEFENSE FOR REASON OF INSANITY. THE WAY IN WHICH STATUTES ARE WRITTEN INFLUENCE THE HANDLING OF MENTALLY RETARDED OFFENDERS. LESS THAN 10 PERCENT OF ALL CASES INVOLVING THESE OFFENDERS, BOTH FELONY AND MISDEMEANOR, RESULT IN A JURY TRIAL. SINCE PRISONS ARE NOT DESIGNED TO TREAT THE MENTALLY RETARDED, LITTLE PROGRAMMING EXISTS THAT MEETS THIS GROUP'S SPECIAL NEEDS. FURTHERMORE, THE LOW FUNDING PRIORITY OF MOST CORRECTIONAL SYSTEMS INSURES THAT PROGRAMS MUST BE GEARED TO THE AVERAGE RATHER THAN THE RETARDED INMATE. RESEARCH TO EVALUATE ALTERNATIVES IN THE HANDLING OF MENTALLY RETARDED PERSONS SHOULD BE CONDUCTED WITH REGARD TO THE TOTAL NEEDS OF A STATE OR AREA, OPERATING CAPACITY OF THE INSTITUTION, AND PERCENTAGE UTILIZATION OF THE OPERATING CAPACITY. REFERENCES ARE INCLUDED.

132. **P. J. MCCONNAUGHAY. CONSERVATORSHIP OF THE PERSON IN ILLINOIS—THE FORGOTTEN PROTECTIVE SERVICE FOR INCOMPETENT CITIZENS.** UNIVERSITY OF ILLINOIS URBANA-CHAMPAIGN SCHOOL OF LAW, URBANA IL 61801. *UNIVERSITY OF ILLINOIS LAW FORUM,* V 1977, N 4 (1977), P 1113-1144. **NCJ-55420**

THE UTILITY OF PERSONAL CONSERVATORSHIP AS A PROTECTIVE SERVICE FOR THE INCOMPETENT IS ASSESSED IN THIS CRITICAL EVALUATION OF THE EXISTING ILLINOIS STANDARD GOVERNING THE APPOINTMENT OF PERSONAL CONSERVATORS. THE ILLINOIS INCOMPETENCY STATUTE CONTAINS TWO SUBSECTIONS, THE FIRST DEFINING AS INCOMPETENT ANY PERSON INCAPABLE OF MANAGING HIS OR HER PERSON OR ESTATE BECAUSE OF SOME MENTAL OR PHYSICAL DISABILITY, AND THE SECOND HOLDING THAT AN INDIVIDUAL IS INCOMPETENT IF BECAUSE OF GAMBLING, IDLENESS, DEBAUCHERY, OR THE USE OF DRUGS OR INTOXICANTS, HE OR SHE SPENDS OR WASTES THEIR ESTATE IN A WAY THAT EXPOSES THEM OR THEIR FAMILY TO SUFFERING. CURRENTLY (1977), THE PERSONAL CONSERVATOR RARELY DOES MORE THAN GIVE CONSENT TO MEDICAL TREATMENT OR SECURE ADMISSION OF THE INCOMPETENT TO NURSING OR PRIVATE CARE FACILITIES. THIS LIMITED ROLE IS WHOLLY INADEQUATE TO MEET THE NEEDS OF A MAJORITY OF THE STATE'S INCOMPETENT CITIZENS AND THE COURTS SHOULD REQUIRE A CONSERVATOR TO BE AN ACTIVE, RATHER THAN PASSIVE PROTECTOR OF A WARD'S INTERESTS AND THE ADVOCATE OF A WARD'S LEGAL RIGHTS. MOREOVER, THE COURTS SHOULD ROUTINELY CONSIDER THE UTILITY OF PERSONAL CONSERVATORSHIP BOTH AS A SUPPLEMENT TO AND SUBSTITUTE FOR CIVIL COMMITMENT OF THE MENTALLY DISABLED. THE CONTINUED EFFECTIVENESS OF A CONSERVATOR SHOULD BE ENSURED BY PERIODIC REVIEWS BOTH OF THE PERFORMANCE

OF THE CONSERVATOR AND THE NEEDS OF THE INCOMPETENT. THERE ARE TWO COST-EFFECTIVE MEANS BY WHICH PERSONAL CONSERVATORS CAN BE MADE AVAILABLE TO INCOMPETENTS WITHOUT SUBSTANTIAL PERSONAL ASSETS. THE FIRST INVOLVES THE APPOINTMENT OF AN INDIVIDUAL WILLING TO SERVE WITHOUT COMPENSATION, WHILE THE OTHER CALLS FOR A POOLING OF SOCIAL SECURITY AND OTHER PUBLIC ASSISTANCE FUNDS FROM WHICH AN EQUITABLE COMPENSATION COULD BE PAID TO THE CONSERVATOR WITHOUT UNDULY TAXING THE RESOURCE OF THE NEAR-INDIGENT INCOMPETENTS. REFERENCES ARE FOOTNOTED.

133. **A. M. MITCHELL. INVOLUNTARY GUARDIANSHIP FOR INCOMPETENTS—A STRATEGY FOR LEGAL SERVICES ADVOCATES.** LEGAL SERVICES CORPORATION, PUBLIC AFFAIRS OFFICE, 733 15TH STREET, WASHINGTON DC 20005. *CLEARINGHOUSE REVIEW*, V 12, N 8 (DECEMBER 1978), P 451-468. **NCJ-53376**

GUARDIANSHIP AND ANALOGOUS SYSTEMS ARE EXAMINED FROM THE PERSPECTIVE OF THE PERSONS AFFECTED. GUARDIANSHIP PROCEDURES TO DEAL WITH THE MENTALLY DISABLED, ADVOCACY, AND STRATEGIES FOR REFORM ARE DESCRIBED. AS LOCAL PROGRAMS REASSESS PRIORITIES AND MAKE POLICE DECISIONS ON HOW TO PROVIDE EFFECTIVE ADVOCACY TO THE MENTALLY DISABLED, IT IS ESSENTIAL TO RESOLVE AMBIVALENCES, PREJUDICES, AND PRECONCEIVED NOTIONS ABOUT THE MENTALLY DISABLED. LEGAL AND MORAL JUSTIFICATION FOR ASSUMING CONTROL OVER MENTALLY INCOMPETENT PERSONS IS BASED ON THE PARENS PATRIAE POWER OF THE STATE. EVERY STATE HAS A FORMAL STATUTORY METHOD FOR IMPOSING A GUARDIAN OVER THE PERSON AND/OR ESTATE OF AN INCOMPETENT, WITH JURISDICTION OVER PROCEEDINGS IN THE PROBATE COURT OR ITS EQUIVALENT. THIS PROCESS IS INITIATED WITH THE FILING OF A PETITION BY A RELATIVE OR INTERESTED PARTY, ASSERTING THAT THE PROSPECTIVE WARD IS UNABLE TO TAKE PROPER CARE OF HIS OR HER PERSON OR PROPERTY DUE TO ONE OF SEVERAL CONDITIONS THAT MAY INCLUDE MENTAL ILLNESS, RETARDATION, DISABILITY, CHRONIC DRUG USE, SENILITY, AND OLD AGE. MOST STATES REQUIRE SOME FORM OF NOTIFICATION TO THE ALLEGED INCOMPETENT THAT SUCH A PETITION HAS BEEN FILED. ALTHOUGH MANY STATES EXPLICITLY PROVIDE FOR JURY TRIALS IN INCOMPETENCY PROCEEDINGS, THESE TRIALS ARE RARELY HELD IN PRACTICE. APPEALS OF INCOMPETENCY DETERMINATIONS ARE RARE EVEN THOUGH THERE ARE A LARGE NUMBER OF GUARDIANSHIPS IMPOSED YEARLY. THE PROVISION OF APPOINTED COUNSEL AND PROCEDURAL DUE PROCESS CAN SERVE TO INJECT ADVOCACY INTO THE GUARDIANSHIP SYSTEM. LEGAL COMMENTATORS AND SOCIAL SCIENTISTS HAVE NOT BEEN ABLE TO DEVELOP A STANDARD OF MENTAL INCOMPETENCY THAT IS MORE PRECISE AND LESS SUBJECTIVE THAN THE STANDARD OFFERED BY THE PSYCHIATRIC PROFESSION. IN THE CIVIL COMMITMENT AREA, COURTS HAVE LEGITIMIZED THE INVOLUNTARY DETENTION BY STATES OF PERSONS WHO ARE BOTH MENTALLY ILL AND DANGEROUS. USES OF GUARDIANSHIP AND POLICY CHOICES AVAILABLE IN THE REFORM OF THE GUARDIANSHIP SYSTEM ARE EXPLORED. CASE LAW IS CITED.

134. **N. MORRIS and V. J. ZICCARDI. SPECIAL DOCTRINAL TREATMENT IN CRIMINAL LAW (FROM MENTALLY RETARDED CITIZEN AND THE LAW, 1976 BY MICHAEL KINDRED, JULIUS COHEN, DAVID PENROD AND THOMAS SHAFFER SEE NCJ-35524).** FREE PRESS, 866 THIRD AVENUE, NEW YORK NY 10022. 12 p. 1976. **NCJ-35527**

IN THESE TWO ARTICLES, THE ISSUES SURROUNDING THE PLEA OF INCOMPETENCY AND THE INSANITY DEFENSE ARE EXAMINED. THE FIRST CALLS FOR ABOLITION OF THESE PLEAS FOR THE GOOD OF THE DEFENDANT, WHILE THE SECOND SUPPORTS THEIR USE. DRAWING ON HIS EXPERIENCES WITH THE PROBLEMS CAUSED BY SPECIAL RULES OF COMPETENCE TO STAND TRIAL AND OF CRIMINAL RESPONSIBILITY, THE FIRST AUTHOR CONCLUDES THAT THE DEFENSE OF INSANITY OR MENTAL RETARDATION AND THE PLEA OF INCOMPETENCY SHOULD BE ABOLISHED. HE NOTES THAT SUPPOSEDLY BENEVOLENT SPECIAL RULES OFTEN WORK GREAT HARDSHIP ON THE MENTALLY IMPAIRED INDIVIDUALS THEY ARE DESIGNED TO HELP. HE DESCRIBES THE EFFECTS OF DOUBLE STIGMATIZATION IN TERMS OF AVERAGE LONGER PERIODS OF INCARCERATION. FINALLY, HE ARGUES FOR THE EQUAL APPLICATION TO MENTALLY RETARDED CITIZENS OF THE GENERAL RIGHT TO PROOF OF SPECIFIC CRIMINAL INTENT AND A SENTENCING AND CORRECTIONAL PROCESS THAT WOULD PROVIDE PROPER SERVICES TO THE MENTALLY RETARDED CITIZEN BECAUSE HE IS A CITIZEN, RATHER THAN BECAUSE HE IS MENTALLY RETARDED. THE NEXT PAPER STRONGLY CRITICIZES THIS FIRST ARTICLE'S POSITION, AGAIN FROM AN EXPERIENTIAL POINT OF VIEW. THE AUTHOR'S APPROACH IS THAT OF A CRIMINAL DEFENSE ATTORNEY AND HE IS WARY OF GIVING UP TOOLS THAT MAY SOMETIMES BE USED BY AN ATTORNEY IN REPRESENTING A PERSON CHARGED WITH A CRIMINAL OFFENSE. (AUTHOR ABSTRACT MODIFIED)

135. **A. T. PAYNE. LAW AND THE PROBLEM PARENT—CUSTODY AND PARENTAL RIGHTS OF HOMOSEXUAL, MENTALLY RETARDED, MENTALLY ILL AND INCARCERATED PARENTS.** UNIVERSITY OF LOUISVILLE SCHOOL OF LAW, LOUISVILLE KY 40208. *JOURNAL OF FAMILY LAW*, V 16, N 4 (1977-1978), P 797-818. **NCJ-54898**

CUSTODY DECISIONS INVOLVING HOMOSEXUAL PARENTS, PARENTS CLASSIFIED AS MENTALLY RETARDED, THOSE CLASSIFIED AS MENTALLY DISTURBED, AND PARENTS IMPRISONED AFTER CONVICTION OF CRIMES ARE EXAMINED. OF THE FOUR GROUPS OF PARENTS STUDIED, THE MENTALLY RETARDED SEEM TO BE HELD BY THE COURTS IN THE LOWEST ESTEEM. THE COURTS HAVE REPEATEDLY SHOWN WILLINGNESS TO SEE A SINGLE 'FAILING' SCORE ON A STANDARDIZED TEST AS AN INDICATOR OF PROBABLE INCAPACITY TO BE A CAPABLE PARENT. THE TREATMENT OF PARENTS CLASSIFIED AS MENTALLY ILL TENDS TO BE BASED TO A GREATER DEGREE UPON AN OBJECTIVE ASSESSMENT OF THEIR CAPABILITIES; HOWEVER, VOLUNTARILY SEEKING TREATMENT HAS BEEN PREJUDICIAL TO THE CASE OF PARENTS SEEKING CUSTODY. HOMOSEXUAL PARENTS NOT ONLY GET RELATIVELY POOR RESULTS IN THE COURTS, THEY ARE SUBJECTED TO FREQUENT LECTURES FROM THE JUDICIARY ON THE UNACCEPTABILITY OF THEIR BEHAVIOR. WHILE ONE MIGHT EXPECT A COURT TO BE THE MOST PUNITIVE TOWARD PARENTS IMPRISONED FOR SERIOUS CRIMES, THIS SEEMS NOT TO BE THE CASE. MURDER OF A MOTHER BY THE CHILDREN'S FATHER IS GROUNDS FOR CUSTODY TERMINATION IN SOME STATES. ALTHOUGH THE RESULTS OF CASES INVOLVING IMPRISONED PARENTS ARE UNEVEN, PARENTS IN THIS STATUS ARE TREATED TO LESS MORALIZING AND DISCRIMINATION THAN THE OTHER GROUPS EXAMINED. IT IS NOTED THAT IF A PARENT WHO HAS SOLE CUSTODY IS INCARCERATED AND CANNOT MAKE OTHER ARRANGEMENTS, THE STATE MUST DECIDE THE ISSUE OF CUSTODY. CASE LAW IS CITED.

136. **J. A. PERPER. MEDICAL EXPERIMENTATION ON CAPTIVE POPULATIONS IN THE UNITED STATES.** AMERICAN SOCIETY FOR TESTING AND MATERIALS, 1916 RACE STREET, PHILADELPHIA PA 19103. *JOURNAL OF FORENSIC SCIENCES*, V 19, N 3 (JULY 1974), P 557-560. **NCJ-16721**

A BRIEF DISCUSSION OF MEDICAL EXPERIMENTATION ON PRISONERS, MENTALLY RETARDED PERSONS, CHILDREN AND FETUSES. THE AUTHOR CONCLUDES THAT MEDICAL EXPERIMENTATION ON CAPTIVE POPULATIONS SHOULD BE

CONTROLLED TO THE POINT OF HAVING ETHICAL CONSIDERATIONS MADE LAW.

Supplemental Notes: PAPER PRESENTED AT THE 3RD WORLD CONGRESS ON MEDICAL LAW, GHENT, BELGIUM, AUG 19-23, 1973.

137. **R. PLOTKIN. MENTALLY RETARDED PERSON IN THE CRIMINAL JUSTICE SYSTEM.** AMERICAN UNIVERSITY LAW SCHOOL INSTITUTE FOR ADVANCED STUDIES IN JUSTICE, 4900 MASSACHUSETTS AVENUE, NW, WASHINGTON, DC 20016. 24 p. 1976. **NCJ-38552**

OVERVIEW OF THE PROBLEM OF PROVIDING MENTALLY RETARDED DEFENDANTS WITH SAFEGUARDS TO ASSURE THEM OF DUE PROCESS. IN THE LATTER PART OF THE NINETEENTH CENTURY, MENTAL RETARDATION WAS EQUATED WITH CRIME AND IMMORALITY. ALTHOUGH THERE HAVE BEEN SIGNIFICANT SCIENTIFIC ADVANCES IN THE FIELD, PERCEPTIONS OF RETARDATION HAVE CHANGED VERY LITTLE IN THE CRIMINAL JUSTICE SYSTEM. STATISTICS SHOW THAT MENTALLY RETARDED PERSONS ARE PRESENT IN THE CRIMINAL JUSTICE SYSTEM IN NUMBERS FAR EXCEEDING THEIR COMPARATIVE PERCENTAGE OF THE GENERAL POPULATION. IT IS SUGGESTED THAT THIS REPRESENTATION REVEALS THAT RETARDED OFFENDERS ARE OFTEN DEALT WITH IMPROPERLY WITHIN THE LEGAL-CORRECTIONAL SYSTEM. IT IS ALSO POINTED OUT THAT RETARDED INMATES OFTEN ARE UNRECOGNIZED AS SUCH AND THUS ARE NEGLECTED. THIS PAPER SUBMITS THAT EVEN THOUGH IT IS CONSIDERED LEGALLY MANDATORY THAT A PERSON'S INTELLECTUAL FUNCTIONING ALLOW HIM TO PARTICIPATE IN HIS OWN DEFENSE, THE LEGAL RIGHTS OF THE MENTALLY RETARDED ARE OFTEN IGNORED.

Sponsoring Agency: US DEPARTMENT OF JUSTICE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION, 633 INDIANA AVENUE, NW, WASHINGTON DC 20531.

Availability: NCJRS MICROFICHE PROGRAM.

138. **PRACTICING LAW INSTITUTE, 810 SEVENTH AVENUE, NEW YORK NY 10019. LEGAL RIGHTS OF MENTALLY DISABLED PERSONS, VOLUME 1.** 864 p. 1979. **NCJ-68415**

THE FIRST OF A THREE-VOLUME SET CONTAINING ARTICLES DEALING WITH THE LEGAL RIGHTS OF MENTALLY DISABLED PERSONS WAS COMPILED AS A REFERENCE FOR A SPECIALIZED LEGAL TRAINING COURSE. PUBLIC AWARENESS OF ISSUES REGARDING THE BASIC RIGHTS OF THE MENTALLY HANDICAPPED IS DIRECTLY ATTRIBUTABLE TO THE INVOLVEMENT OF THE LEGAL PROFESSION. ADVOCACY EFFORTS IN THE LAST DECADE HAVE RESULTED IN COURT RULINGS AIMED AT ERADICATING DISCRIMINATION AGAINST THIS POWERLESS AND DISADVANTAGED GROUP AND ACCORDING MENTALLY DISABLED PERSONS THE SAME RIGHTS AND DIGNITY AS OTHER CITIZENS. THE SEMINARS FOR WHICH THIS COURSEBOOK WAS PREPARED ARE DESIGNED FOR ATTORNEYS WHO ARE OR WISH TO BECOME A PART OF THE GROWING NETWORK OF LEGAL ADVOCATES FOR MENTALLY DISABLED CLIENTS. THE MATERIALS, IN OUTLINE-ESSAY FORM, REPRESENT OPINIONS OF LEADING PROFESSIONALS IN THE FIELD OF MENTAL DISABILITY LAW. ARTICLES COVER ALL THE MAJOR RIGHTS AREAS; IN ADDITION, THE VOLUMES CONTAIN MODEL COMPLAINTS, BRIEFS, STATUTES, AND OTHER LEGAL SOURCE MATERIALS SUCH AS RECENT SLIP OPINIONS. DIVIDED INTO FOUR TOPICAL SECTIONS, VOLUME ONE PRESENTS A HISTORY AND OVERVIEW OF DISABILITY LEGISLATION, GENERAL BACKGROUND ON MENTAL DISABILITIES, THE CIVIL COMMITMENT PROCESS, AND A DESCRIPTION OF INSTITUTIONAL AND COMMUNITY CONDITIONS AND SERVICES. PART ONE CONTAINS ARTICLES ON MENTAL HEALTH ADVOCACY RELATIONSHIPS TO POLITICS, THE LEGAL AND ETHICAL ISSUES RAISED BY THE PRESIDENT'S COMMISSION ON MENTAL HEALTH, FEDERAL STATUTES GIVING RIGHTS TO MENTALLY DISABLED PERSONS, AND AN ASSESSMENT OF THE FUTURE OF DEVELOPMENTAL DISABILITY LAW. PART TWO DISCUSSES THE BASIC FACTS ABOUT MENTAL RETARDATION, EPILEPSY, CEREBRAL PALSY, AUTISM, AND DYSLEXIA. THE CIVIL COMMITMENT PROCESS COVERED IN THE THIRD PART ANALYZES SPECIFIC COURT DECISIONS, STATE LAWS, COMMITMENT PROCEDURES, GUARDIANSHIP, THE COMMITMENT OF CHILDREN, ATTORNEY REPRESENTATION OF PATIENTS AND GUARDIANS, AND THE ROLE OF EXPERT TESTIMONY IN CIVIL COMMITMENT HEARINGS. RIGHT TO TREATMENT, ANTI-INSTITUTIONALIZATION, CONSENT DECREES, COMMUNITY STANDARDS, AND SPECIFIC COMPLAINTS FILED IN VARIOUS PROCEEDINGS CONSTITUTE THE FINAL SECTION OF VOLUME ONE. FOOTNOTES ARE INCLUDED WITH INDIVIDUAL ARTICLES; A GENERAL BIBLIOGRAPHY FOLLOWS PART ONE OF THIS VOLUME. THE PROGRAM SCHEDULE AND FACULTY LIST ARE APPENDED.

Supplemental Notes: LITIGATION AND ADMINISTRATIVE PRACTICE SERIES—CRIMINAL LAW AND URBAN PROBLEMS—COURSE HANDBOOK SERIES, NUMBER 114 PREPARED FOR DISTRIBUTION AT THE LEGAL RIGHTS OF MENTALLY DISABLED PERSONS PROGRAM, DECEMBER 1979—MARCH 1980.

Availability: PRACTICING LAW INSTITUTE, 810 SEVENTH AVENUE, NEW YORK NY 10019.

139. **PRACTICING LAW INSTITUTE, 810 SEVENTH AVENUE, NEW YORK NY 10019. LEGAL RIGHTS OF MENTALLY DISABLED PERSONS, VOLUME 2.** 902 p. 1979. **NCJ-68417**

THE SECOND OF A THREE-VOLUME SET, THIS BOOK IS A COMPENDIUM OF ARTICLES DEALING WITH THE LEGAL RIGHTS OF MENTALLY DISABLED PERSONS. IT WAS COMPILED AS A REFERENCE FOR A SPECIALIZED LEGAL TRAINING COURSE. PUBLIC AWARENESS OF ISSUES REGARDING THE BASIC RIGHTS OF THE EMOTIONALLY HANDICAPPED IS DIRECTLY ATTRIBUTABLE TO THE INVOLVEMENT OF THE LEGAL PROFESSION. ADVOCACY EFFORTS IN THE LAST DECADE HAVE RESULTED IN COURT RULINGS AIMED AT ERADICATING DISCRIMINATION AGAINST THIS POWERLESS AND DISADVANTAGED GROUP AND ACCORDING MENTALLY DISABLED PERSONS THE SAME RIGHTS AND DIGNITY AS OTHER CITIZENS. THE SEMINARS FOR WHICH THIS COURSEBOOK WAS PREPARED ARE DESIGNED FOR ATTORNEYS WHO ARE OR WISH TO BECOME A PART OF THE GROWING NETWORK OF LEGAL ADVOCATES FOR MENTALLY DISABLED CLIENTS. THE MATERIALS, IN OUTLINE-ESSAY FORM, REPRESENT OPINIONS OF LEADING PROFESSIONALS IN THE FIELD OF MENTAL DISABILITY LAW. ARTICLES COVER ALL THE MAJOR RIGHTS AREAS; IN ADDITION, THE VOLUMES CONTAIN MODEL COMPLAINTS, BRIEFS, STATUTES, AND OTHER LEGAL SOURCE MATERIALS SUCH AS RECENT SLIP OPINIONS. CONTINUING THE TOPICAL OUTLINE BEGUN IN VOLUME ONE, THIS SECOND VOLUME CONTAINS SECTIONS FIVE AND SIX ENTITLED, RESPECTIVELY, 'OTHER RIGHTS IN INSTITUTIONS' AND 'RIGHTS IN THE COMMUNITY.' ISSUES CONCERNING RIGHTS IN INSTITUTIONS INCLUDE REGULATING TREATMENT DECISIONS FOR CIVILLY COMMITTED PERSONS, PATIENTS' RIGHT TO REFUSE TREATMENT, PSYCHOACTIVE DRUGS, AND OTHER TYPES OF HAZARDOUS TREATMENT. A STATE SURVEY OF THE RIGHTS OF DISABLED PERSONS IN RESIDENTIAL FACILITIES IS PROVIDED. THE TOPIC OF COMMUNITY RIGHTS ENCOMPASSES EDUCATIONAL ISSUES, PROGRAMS, AND MATERIALS; COMBATING HANDICAP DISCRIMINATION IN EMPLOYMENT, EXCLUSIONARY ZONING, AND AFFIRMATIVE ACTION. TABULAR DATA

AND FOOTNOTES ARE PROVIDED WITH INDIVIDUAL ARTICLES.

Supplemental Notes: LITIGATION AND ADMINISTRATIVE PRACTICE SERIES—CRIMINAL LAW AND URBAN PROBLEMS—COURSE HANDBOOK SERIES, NUMBER 115 PREPARED FOR DISTRIBUTION AT THE LEGAL RIGHTS OF MENTALLY DISABLED PERSONS PROGRAM, DECEMBER 1979—MARCH 1980.

Availability: PRACTICING LAW INSTITUTE, 810 SEVENTH AVENUE, NEW YORK NY 10019.

140. **PRACTICING LAW INSTITUTE, 810 SEVENTH AVENUE, NEW YORK NY 10019. LEGAL RIGHTS OF MENTALLY DISABLED PERSONS, VOLUME 3.** 550 p. 1979. **NCJ-68418**

THE THIRD OF A THREE-VOLUME SET, THIS COMPENDIUM OF ARTICLES DEALING WITH THE LEGAL RIGHTS OF MENTALLY DISABLED PERSONS WAS COMPILED AS A REFERENCE FOR A SPECIALIZED LEGAL TRAINING COURSE. PUBLIC AWARENESS OF ISSUES REGARDING THE BASIC RIGHTS OF THE MENTALLY HANDICAPPED IS DIRECTLY ATTRIBUTABLE TO THE INVOLVEMENT OF THE LEGAL PROFESSION. ADVOCACY EFFORTS IN THE LAST DECADE HAVE RESULTED IN COURT RULINGS AIMED AT ERADICATING DISCRIMINATION AGAINST THIS POWERLESS AND DISADVANTAGED GROUP AND ACCORDING MENTALLY DISABLED PERSONS THE SAME RIGHTS AND DIGNITY AS OTHER CITIZENS. THE SEMINARS FOR WHICH THIS COURSEBOOK WAS PREPARED ARE DESIGNED FOR ATTORNEYS WHO ARE OR WISH TO BECOME A PART OF THE GROWING NETWORK OF LEGAL ADVOCATES FOR MENTALLY DISABLED CLIENTS. THE MATERIALS, IN OUTLINE-ESSAY FORM, REPRESENT VIEWPOINTS OF LEADING PROFESSIONALS IN THE FIELD OF MENTAL DISABILITY LAW. ARTICLES COVER ALL THE MAJOR RIGHTS AREAS; IN ADDITION, THE VOLUMES CONTAIN MODEL COMPLAINTS, BRIEFS, STATUTES, AND OTHER LEGAL SOURCE MATERIALS SUCH AS RECENT SLIP OPINIONS. CONTINUING THE TOPICAL OUTLINE BEGUN IN THE FIRST TWO VOLUMES, THIS FINAL BOOK OF THE SERIES COMPLETES PART SIX, BEGUN IN VOLUME 2, 'RIGHTS IN THE COMMUNITY.' IT CONTAINS, ADDITIONALLY, PARTS ON RIGHTS IN THE CRIMINAL PROCESS, UNDERTAKING LITIGATION, ADVOCACY SYSTEMS, AND A MENTAL HEALTH LAW PROJECT. THE REMAINING COMMUNITY MATTERS DELINEATED INCLUDE MARITAL AND FAMILY RIGHTS, VOTING RIGHTS AND JURY DUTY, FEDERAL AND STATE ENTITLEMENTS SUCH AS HEALTH CARE AND COMMUNITY SUPPORT SERVICES, AND THE ISSUE OF THERAPEUTIC CONFIDENTIALITY. A SUMMARY OVERVIEW OF RIGHTS IN THE CRIMINAL PROCESS IS PROVIDED, AS IS A DISCUSSION OF PRACTICAL MATTERS OF UNDERTAKING LITIGATION. ARTICLES OFFER SUGGESTIONS FOR ATTORNEY APPROACHES IN INTERVIEWING MENTALLY DISABLED CLIENTS AND EXAMINING EXPERT WITNESSES. TECHNICAL LITIGATION PROBLEMS ARE DEALT WITH IN TERMS OF STANDING, EXHAUSTION, IMMUNITY, AND CLASS ACTION. ONE ARTICLE VIEWS LITIGATION IN CONTEXT WITH OTHER COMPLEMENTARY STRATEGIES FOR REFORM. A SECTION ON ATTORNEY'S FEES CONCLUDES WITH A BIBLIOGRAPHY ON THE SUBJECT. ADVOCACY SYSTEMS ARE DEALT WITH IN NATIONAL AND REGIONAL TERMS, IDENTIFYING BY NAME AND ADDRESS ORGANIZATIONS, BACKUP RESOURCES, AND RELEVANT CONGRESSIONAL COMMITTEES. FOOTNOTES ARE PROVIDED FOR SOME ARTICLES; A PROGRAM SCHEDULE AND FACULTY LISTING ARE APPENDED.

Supplemental Notes: LITIGATION AND ADMINISTRATIVE PRACTICE SERIES—CRIMINAL LAW AND URBAN PROBLEMS—COURSE HANDBOOK SERIES, NUMBER 116 PREPARED FOR DISTRIBUTION AT THE LEGAL RIGHTS OF MENTALLY DISABLED PERSONS PROGRAM, DECEMBER 1979—MARCH 1980.

Availability: PRACTICING LAW INSTITUTE, 810 SEVENTH AVENUE, NEW YORK NY 10019.

141. **C. N. ROBERT. MENTALLY DEFECTIVE OFFENDERS, PSYCHIATRY, AND CRIMINAL JUSTICE IN SWITZERLAND. (DELINQUANTS MENTALEMENT DEFICIENTS, PSYCHIATRIE ET JUSTICE PENALE EN SUISSE.)** UNION BELGE ET LUXEMBOURGEOISE DE DROIT PENAL, PALAIS DE JUSTICE, 1000 BRUXELLES, BELGIUM. *REVUE DE DROIT PENAL ET DE CRIMINOLOGIE*, N 1 (OCTOBER 1976), P 3-49. (In *French*) **NCJ-40148**

EXAMINATION OF THE HANDLING OF MENTALLY ILL OFFENDERS IN THE SWISS CRIMINAL JUSTICE SYSTEM, WITH EMPHASIS ON THE DETERMINATION OF CRIMINAL RESPONSIBILITY AND THE CIVIL COMMITMENT PROCESS. ALSO CONSIDERED ARE THE PART PLAYED BY THE PSYCHIATRIST IN DECIDING AN APPROPRIATE SANCTION AND PRACTICAL PROBLEMS RELATED TO THE INSTITUTIONAL TREATMENT OF THESE OFFENDERS. THE SWISS CRIMINAL JUSTICE SYSTEM PROVIDES FOR HOSPITALIZATION OF NON-DANGEROUS OFFENDERS FOUND TO BE CRIMINALLY IRRESPONSIBLE OR TO HAVE A DIMINISHED RESPONSIBILITY. A MORE STRICT INTERNMENT IS RESERVED FOR THOSE MENTALLY ILL DEFENDANTS JUDGED TO BE DANGEROUS.—IN FRENCH

142. **A. ROSETT. CONNOTATIONS OF DISCRETION (FROM CRIMINOLOGY REVIEW YEARBOOK, VOLUME 1, 1979, BY SHELDON L MESSINGER AND EGON BITTNER—SEE NCJ-60767.** SAGE PUBLICATIONS, INC, 275 SOUTH BEVERLY DRIVE, BEVERLY HILLS CA 90212. 25 p. 1979. **NCJ-60771**

THE VALUES AND DANGERS OF DISCRETION IN DECISIONMAKING IN THE CRIMINAL JUSTICE SYSTEM ARE DISCUSSED, AND A STRATEGY FOR REDUCING POTENTIAL INJUSTICES IN THE USE OF DISCRETION IS DESCRIBED. THE GENERAL CHARACTER AND IMPLICATIONS OF DISCRETIONARY CRIMINAL JUSTICE DECISIONMAKING ARE THE SAME WHETHER IT BE IN THE AREAS OF POLICE BEHAVIOR IN THE COMMUNITY, PROSECUTORIAL CHARGE DISCRETION AND RELATED NEGOTIATED PLEA BARGAINING, THE TREATMENT OF INMATES IN PRISONS AND ON PAROLE, SENTENCING, OR THE CARE AND CUSTODY OF JUVENILES, THE MENTALLY DISABLED, AND THE SUBSTANCE-ADDICTED. DISCRETIONARY DECISIONS ARE TROUBLESOME BECAUSE THEY CAN BE ARBITRARY AND POTENTIALLY CORRUPT; AND IN AN EXTREME FORM ARE EQUATED WITH NORMLESSNESS, PROCEDURAL INFORMALITY, AND UNREVIEWABILITY. IN ACTUALITY, HOWEVER, EACH DISCRETIONARY DECISION IN THE CRIMINAL JUSTICE SYSTEM IS SUBJECT TO SOME STANDARDS, PROCEDURAL GUIDELINES, OR REVIEW. IN RECENT USAGE, DISCRETION SOMETIMES SUGGESTS BEHAVIOR THAT IS ANTITHETICAL TO LAW, OR IN SUCH A VIEW, THAT DUE PROCESS OF LAW HAS BEEN USURPED. ON THE POSITIVE SIDE, DISCRETION CAN PROVIDE RELIEF FROM A RIGID, INSENSITIVE APPLICATION OF THE LAW THAT IGNORES THE SPECIAL CIRCUMSTANCES AND NEEDS OF THE INDIVIDUAL OFFENDER. INSTEAD OF VIEWING DISCRETION AS THE ABSENSE OF LEGALITY OR A DISPENSING RELIEF FROM THE LAW, IT CAN BE SEEN AS THE CONNECTIVE TISSUE THAT ENABLES A LEGAL SYSTEM TO WORK, A MEANS FOR TRANSVERSING THE GAP BETWEEN THE ABSTRACT WORDS OF A RULE AND THE APPLICATION OF THAT RULE TO A SPECIFIC SITUATION. IT IS IMPOSSIBLE FOR ANY STATUTE TO COVER EVERY CONTINGENCY RELATED TO ITS APPLICATION. THE MAKING OF WISE, JUDICIOUS DECISIONS INEVITABLY DEALS WITH RISKS AND UNCERTAINTIES. DISCRETIONARY DECISIONMAKING SHOULD BE VIEWED AS ANOTHER FORM OF LEGALITY, STANDING ALONGSIDE OR ACTING AS AN EXTENSION OF THE WRITTEN LAW. FROM THIS PERSPECTIVE, THE AGENDA FOR NEEDED RESEARCH INCLUDES STUDY OF THOSE QUALITITES THAT ENABLE AN INDIVIDUAL TO MAKE SUPERIOR DECISIONS. REFERENCES ARE PROVIDED.

143. **R. L. SADOFF, Ed. VIOLENCE AND RESPONSIBILITY—THE INDIVIDUAL, THE FAMILY AND SOCIETY.** SPECTRUM PUBLICATIONS, INC, 75-31 192ND STREET, FLUSHING NY 11366. 147 p. 1978. **NCJ-53974**

THIS COLLECTION OF PAPERS BY MEDICAL, LEGAL, AND PSYCHOLOGY EXPERTS PRESENTS A BROAD-BASED APPROACH TO STUDYING AND DEALING WITH VIOLENCE AS IT RELATES TO INDIVIDUAL, FAMILY, AND COMMUNITY RESPONSIBILITY. THE PAPERS, ORIGINALLY PRESENTED AT TWO CONFERENCES ON VIOLENCE, PROVIDE GUIDELINES TO IDENTIFICATION, PREDICTION, TREATMENT, AND PREVENTION OF VIOLENT BEHAVIOR. AMONG THEM IS A WORK OUTLINING THE PSYCHOLOGICAL AND SOCIAL ROOTS OF VIOLENT BEHAVIOR AND DELINEATING FORMS AND CAUSES (BIOLOGIC, PSYCHOGENIC, AND SOCIOECONOMIC) OF VIOLENCE, AND HISTORICAL REVIEW OF METHODS FOR TESTING FOR CRIMINAL RESPONSIBILITY AND INSANITY AND OF TRADITIONAL CONCEPTS RELATING TO VIOLENCE AND RESPONSIBILITY, AND AN ARGUMENT PROPOSING THE MANDATORY TREATMENT OF VIOLENT PERSONS. PSYCHODYNAMIC ASPECTS OF VIOLENT BEHAVIOR INCLUDING POLITICAL, SOCIOLOGICAL, AND CULTURAL FACTORS ARE DEALT WITH IN A LATER PAPER, AND A LINK BETWEEN NEUROLOGICAL DISEASE AND VIOLENT BEHAVIOR (THE DYSCONTROL SYNDROME) IS DESCRIBED. A CRIMINOLOGIST APPROACHES THE PROBLEM FROM THE STANDPOINT OF FAMILY VIOLENCE AND CRIMINAL BEHAVIOR AND TIES THE SOCIOLOGICAL CONCEPTS TO INTRAPSYCHIC, MEDICAL, AND LEGAL FACTORS. A JUDGE REVIEWS COURT EXPERIENCES TO DESCRIBE THE SPECIAL VULNERABILITY OF MENTALLY DISABLED PERSONS, THE ELDERLY, AND THE INSTITUTIONALIZED TO VIOLENCE, AND A LAW PROFESSOR PRESENTS THE MEDICAL-LEGAL ASPECTS OF VIOLENCE TOWARD CHILDREN, FOCUSING ON ABUSE, NEGLECT, AND PARENTAL RESPONSIBILITY. THE CLOSING CHAPTER DEALS SPECIFICALLY WITH JUVENILE VIOLENCE AND DISCUSSES INDIVIDUAL RESPONSIBILITY AND SOCIAL-LEGAL CONTROLS. AN INDEX AND REFERENCES ARE PROVIDED.

Availability: HALSTED PRESS, 605 THIRD AVENUE, NEW YORK NY 10016.

144. **L. SIMKIN. RIGHT OF DEFENCE IN SOVIET JUDICIAL PROCEEDINGS.** NOVOSTI PRESS AGENCY, PUSHKINSQUARE 2, MOSCOW, RUSSIA. 6 p. Russia. **NCJ-58253**

THE RIGHT OF DEFENSE IN SOVIET JUDICIAL PROCEEDINGS IS DISCUSSED IN VIEW OF THE SOVIET CRIMINAL CODE AND CONSTITUTION AND THE RIGHTS AND DUTIES OF LAWYERS. SOVIET JUSTICE DOES NOT REGARD THE CONFESSION OF A DEFENDANT AS GROUNDS FOR CONVICTION. ACCORDING TO THE SOVIET CRIMINAL PROCEDURE CODE, THE ADMISSION OF GUILT BY A DEFENDANT MAY BE USED AS THE BASIS OF CONVICTION ONLY IF THE CONFESSION IS CONFIRMED BY THE EVIDENCE AVAILABLE. THIS LAW IS BASED ON AN ARTICLE IN THE SOVIET CONSTITUTION WHICH STATES THAT NO ONE CAN BE FOUND GUILTY OF A CRIME AND SUBJECTED TO CRIMINAL PUNISHMENT UNLESS GUILT IS ESTABLISHED BY A COURT. FOUR PRACTICAL RULES DERIVE FROM THIS RULING: A PRESUMPTION OF INNOCENCE PRESUPPOSES THAT A DEFENDANT IS NOT REQUIRED TO PROVE HIS INNOCENCE; A CASE IS ABSOLVED IF THE GUILT OF THE DEFENDANT CANNOT BE PROVED; ANY DOUBT IS WEIGHTED IN FAVOR OF THE DEFENDANT; AND ELICITING THE TESTIMONY OF A DEFENDANT BY FORCE, THREATS, OR SIMILAR METHODS IS PROHIBITED. DEFENDANTS HAVE THE RIGHT TO KNOW WHAT CONSTITUTES THE ACCUSATION AGAINST THEM; TO PROVIDE EXPLANATIONS ON THEIR BEHALF; TO CHALLENGE THE JUDGE OR PEOPLE'S STATEMENTS; AND TO APPEAL AGAINST THE ACTIONS OF A PROCURATOR, AN INVESTIGATING OFFICER, OR A COURT. MOREOVER, THE PARTICIPATION OF A DEFENSE LAWYER IS REQUIRED ONLY IN CASES INVOLVING DEFENDANTS UNDER 18 YEARS, PHYSICALLY OR MENTALLY HANDICAPPED PERSONS, PERSONS UNFAMILIAR WITH THE LANGUAGE OR PROCEEDINGS, AND WITH THE PARTICIPATION OF A STATE OR LOCAL PROSECUTOR IN THE TRIAL. CONVERSELY, A DEFENSE LAWYER CAN NOT BE IMPOSED ON A DEFENDANT. AMONG THE RIGHTS OF LAWYERS SET OUT IN THIS DOCUMENT ARE THE RIGHT TO MEET WITH THE ACCUSED, SUBMIT EVIDENCE, AND CHALLENGE MEMBERS OF THE COURT. THERE IS A MINIMAL CHARGE FOR A CRIMINAL CASE, AND IN SOME CASES LEGAL AID IS FREE. ARREST CAN ONLY OCCUR AFTER ISSUANCE OF A WARRANT OR BY COURT DECISION, AND PENALTIES ARE IMPOSED ON OFFICIALS GUILTY OR ILLEGAL ARREST OR DETENTION OF A CITIZEN. SIMILAR MEASURES EXIST FOR VIOLATIONS OF PRIVACY. FINALLY, AN APPEALS COURT CANNOT INCREASE THE PUNISHMENT INITIALLY IMPOSED ON A DEFENDANT. NO REFERENCES ARE PROVIDED.

Availability: NCJRS MICROFICHE PROGRAM.

145. **A. J. SING. RECORDED INTERVIEWS AND THE LAW, PART 1.** AUSTRALIAN POLICE JOURNAL, BOX 45, GPO, SYDNEY 2001, AUSTRALIA. *AUSTRALIAN POLICE JOURNAL*, V 32, N 2 (APRIL 1978), P 67-92. **NCJ-48551**

THE AUSTRALIAN POLICE PRACTICE OF OBTAINING CONFESSIONS OR OTHER EVIDENCE THROUGH RECORDED SUSPECT INTERVIEWS IS DISCUSSED, WITH ATTENTION TO JUDICIAL DECISIONS SETTING SPECIFIC GUIDELINES FOR THE TECHNIQUE'S APPLICATION. UNDER AUSTRALIAN JUDICIAL PRECEDENTS, A WRITTEN OR TAPED ACCOUNT OF THE QUESTIONS PUT BY AN INTERROGATING OFFICER AND THE REPLIES OF A SUSPECT OR WITNESS IS ADMISSIBLE AS DOCUMENTARY EVIDENCE, PROVIDED THAT CERTAIN PROCEDURES ARE FOLLOWED AND THE GENERAL RULES OF EVIDENCE ARE RESPECTED. BEFORE ANY EVIDENCE CAN BE ADMISSIBLE, THE BASIC RULE IS THAT IT MUST BE RELEVANT. HOWEVER, IN THE CASE OF CONFESSIONS, CONTEMPORANEOUSLY RECORDED OR NOT, SPECIAL RULES HAVE BEEN DEVELOPED IN ADDITION TO THE RELEVANCE PROVISION. SPECIFICALLY, THE CONFESSION MUST BE VOLUNTARY AND MADE WITHOUT ANY SORT OF INDUCEMENT HELD OUT BY A PERSON OF AUTHORITY. IN ADDITION TO THESE MANDATORY RULES, THE COURTS RETAIN DISCRETIONARY POWER TO REJECT RECORDED CONFESSIONS EVEN THOUGH THEY MAY BE VOLUNTARY. THIS POWER MAY BE INVOKED IF THE COURT FEELS THE CONFESSION HAS BEEN OBTAINED UNDER CIRCUMSTANCES WHICH RENDER ITS RECEPTION UNFAIR TO THE ACCUSED. IN INVESTIGATING CRIMES AND TAKING CONFESSIONS, THE POLICE MAY INTERVIEW ANYONE FROM WHOM USEFUL INFORMATION CAN BE OBTAINED, ALTHOUGH IF AN OFFICER HAS DECIDED TO CHARGE SOMEONE ABOUT TO BE INTERVIEWED, THEN THE SUSPECT SHOULD BE CAUTIONED AS TO HIS OR HER RIGHTS. PERSONS ALREADY IN CUSTODY SHOULD NOT BE INTERVIEWED WITHOUT THE USUAL CAUTION, AND SHOULD A PRISONER WISH TO VOLUNTEER A STATEMENT, THEN, TOO, SHOULD CAUTION BE ADMINISTERED. SUSPECTS SHOULD BE CAUTIONED AS TO THEIR RIGHTS WHEN FORMALLY CHARGED; HOWEVER, SHOULD A SUSPECT MAKE A STATEMENT BEFORE A RIGHTS CAUTION CAN BE ADMINISTERED, THE RESULTING EVIDENCE IS NOT NECESSARILY RENDERED INADMISSIBLE. SUSPECTS MAKING A VOLUNTARY STATEMENT MUST NOT BE CROSS-EXAMINED, AND WHEN TWO OR MORE PERSONS ARE CHARGED WITH THE SAME OFFENSE, THEIR STATEMENTS SHOULD BE TAKEN SEPARATELY. A STATEMENT SHOULD, WHEN POSSIBLE, BE WRITTEN DOWN AND SIGNED AFTER THE SUSPECT HAS READ IT AND CORRECTED ERRORS. FOREIGNERS, THE DEAF AND MUTE, ILLITERATES, AND ABORIGINES DEMAND SPECIAL HANDLING.

146. **R. SKLANSKY. WISCONSIN—CRIMINAL JUSTICE SYSTEM—AN OVERVIEW.** WISCONSIN LEGISLATIVE COUNCIL, ROOM 147 NORTH, STATE CAPITOL, MADISON WI 53702. 11 p. 1978. **NCJ-54102**

AN OVERVIEW OF WISCONSIN'S CRIMINAL JUSTICE SYSTEM IS PRESENTED, WITH A VIEW TO IDENTIFYING AND ALLEVIATING ANY PROBLEMS THAT MIGHT BE ENCOUNTERED BY DISABLED PERSONS AS PARTICIPANTS IN THE CRIMINAL JUSTICE PROCESS. THE PURPOSE OF THE OVERVIEW IS TO PROVIDE A FOUNDATION FOR SETTING FORTH THE RIGHTS OF PHYSICALLY HANDICAPPED AND DEVELOPMENTALLY DISABLED PERSONS AT EACH STAGE OF THE CRIMINAL JUSTICE PROCESS. PROCEDURES INVOLVED IN THE FOLLOWING STAGES ARE OUTLINED: COMPLAINT AND ARREST, SEARCH AND SEIZURE, JOHN DOE PROCEEDINGS (SECRET HEARINGS HELD AT THE DISCRETION OF THE JUDGE TO DETERMINE WHETHER A CRIME HAS BEEN COMMITTED), BAIL, INITIAL COURT APPEARANCE OF THE DEFENDANT, PRELIMINARY HEARING, ARRAIGNMENT, DETERMINATION OF COMPETENCY TO STAND TRIAL, TRIAL, AND SENTENCING. POINTS AT WHICH THE PRESENCE OF THE DEFENDANT IS REQUIRED ARE IDENTIFIED, BUT NO PARTICULAR EMPHASIS IS PLACED ON ANY DIFFICULTIES THAT MIGHT BE ENCOUNTERED BY A DISABLED PERSON. WISCONSIN LAWS PROVIDING FOR THE FUNDING OF INTERPRETERS FOR DEAF PERSONS AND FOR DEVICES THAT ENABLE HEARING- AND SPEECH-IMPAIRED PERSONS TO OBTAIN EMERGENCY ASSISTANCE ARE CITED.

Supplemental Notes: STAFF BRIEF 78-5.

Availability: NCJRS MICROFICHE PROGRAM.

147. **R. SLOVENKO. DEVELOPING LAW ON COMPETENCY TO STAND TRIAL.** FEDERAL LEGAL PUBLICATIONS, INC, 95 MORTON STREET, NEW YORK NY 10014. *JOURNAL OF PSYCHIATRY AND LAW.* V 5, N 2 (SUMMER 1977), P 165-200. **NCJ-51952**

THE CONTROVERSIAL NATURE OF THE PLEA OF COMPETENCY TO STAND TRIAL IS ILLUSTRATED THROUGH A SERIES OF CASE STUDIES. THE DEVELOPING LAW AND SUNDRY PROBLEMS ARISING UNDER THE PLEA ARE DISCUSSED. LACK OF COMPETENCY TO STAND TRIAL HAS BEEN INVOKED FOR PERSONS WHO WERE DEAF, BLIND, UNABLE TO SPEAK, MENTALLY INCOMPETENT, SUFFERING FROM HEART AILMENTS, OR OTHER HEALTH PROBLEMS. TO DATE EACH CASE HAS BEEN HANDLED INDIVIDUALLY. AS A RESULT, JUDICIAL PRECEDENT HAS VARIED FROM STATE TO STATE. ALTHOUGH COMPETENCY TO STAND TRIAL IS USUALLY THOUGHT OF AS A DEFENSE PLEA, PROSECUTING ATTORNEYS HAVE USED IT TO SECURE LONG-TERM COMMITMENT TO AN INSTITUTION FOR DEFENDANTS BELIEVED DANGEROUS BUT UNABLE TO STAND TRIAL DUE TO MENTAL OR PHYSICAL DISABILITY. CASES IN WHICH THE COURT ORDERED INSTITUTIONS TO PREPARE DEFENDANTS FOR TRIAL ARE ALSO EXAMINED. THE QUESTIONS OF DUE PROCESS, THE OBLIGATION OF SOCIETY TO OFFER A DEFENDANT A SPEEDY TRIAL, AND THE ETHICAL CONCERNS OF TRIAL POSTPONEMENTS FOR PERSONS SUFFERING FROM HEART CONDITIONS OR SIMILAR COMMON AILMENTS ARE ALL DISCUSSED. THE FOOTNOTES CONTAIN 82 REFERENCES, INCLUDING NEWSPAPER ARTICLES, CASE CITATIONS, RESEARCH STUDIES, AND PERSONAL CORRESPONDENCE WITH MENTAL HEALTH EXPERTS.

148. **A. A. STONE. MENTAL HEALTH AND LAW—A SYSTEM IN TRANSITION.** 280 p. 1975. **NCJ-28372**

THIS MONOGRAPH, WRITTEN BY A PROFESSOR OF LAW AND PSYCHIATRY, PROVIDES A REVIEW AND DISCUSSION OF THE INTERACTIONS OF THE LEGAL AND MENTAL HEALTH SYSTEMS. AMONG THE ISSUES COVERED IN THIS TEXT ARE CIVIL VS. CRIMINAL CONFINEMENT, TREATMENT AND PREDICTION OF DANGEROUS BEHAVIOR, THE LEGAL CRITERIA AND GOALS OF CIVIL COMMITMENT, AND INPATIENT CARE. LEGAL ISSUES INVOLVED IN THE TREATMENT OF SUCH GROUPS AS THE MENTALLY RETARDED, JUVENILES, THE AGING, SEXUAL PSYCHOPATHS, AND DEFECTIVE DELINQUENTS ARE ALSO DISCUSSED. THE ROLE OF LAW AND MENTAL HEALTH TREATMENT IS THEN EXAMINED WITH RESPECT TO THE RIGHT TO TREATMENT, THE RIGHT TO REFUSE TREATMENT, COMPETENCY TO STAND TRIAL, AND THE INSANITY DEFENSE. AN APPENDIX WHICH UPDATES THE MAJOR LEGAL ISSUES IN LIGHT OF RECENT JUDICIAL DECISIONS IS ALSO PROVIDED.

Sponsoring Agency: US DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE NATIONAL INSTITUTE OF MENTAL HEALTH, 5600 FISHERS LANE, ROCKVILLE, MD 20852.

Availability: NCJRS MICROFICHE PROGRAM.

149. **TEXAS DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION, BOX 12668, CAPITOL STATION, AUSTIN TX 78711. PROJECT CAMIO (CORRECTIONAL ADMINISTRATION AND THE MENTALLY INCOMPETENT OFFENDER), V 3—THE MENTALLY RETARDED AND THE LAW.** 107 p. 1973. **NCJ-12529**

STATUTORY AND CASE LAW AFFECTING ARREST, PROSECUTION, AND TREATMENT OF RETARDED OFFENDERS, FOCUSING ON CRIMINAL RESPONSIBILITY, INCOMPETENCY, AND PROCEDURAL PROBLEMS. THE INITIAL MATERIAL IN THIS VOLUME FOCUSES ON THE CIRCUMSTANCES UNDER WHICH A MENTALLY RETARDED DEFENDANT SHOULD BE ADJUDGED INCOMPETENT TO STAND TRIAL, AND THE JUSTIFICATIONS FOR AND PERMISSIBLE LENGTH OF COMMITMENT OF RETARDED INDIVIDUALS DEEMED INCOMPETENT. THE FOLLOWING CHAPTER LOOKS AT PROCEDURAL PROBLEMS INVOLVED IN THE DETERMINATION OF INCOMPETENCY AND THE DISPOSITION OF INCOMPETENT DEFENDANTS. SUGGESTED REFORMS, ADDRESSED TO SPECIFIC PROCEDURAL ASPECTS OF THE CURRENT TEXAS LAW, ARE INCLUDED. FOR OTHER VOLUMES IN THIS SERIES, SEE NCJ 12527, 12528, AND 12530 THROUGH 12534.

Sponsoring Agency: US DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, 330 INDEPENDENCE AVENUE, SW, WASHINGTON DC 20201.

150. **H. R. TURNBULL 3RD. LAW AND THE MENTALLY RETARDED CITIZEN—AMERICAN RESPONSES TO THE DECLARATIONS OF RIGHTS OF THE UNITED NATIONS AND INTERNATIONAL LEAGUE OF SOCIETIES FOR THE MENTALLY HANDICAPPED—WHERE WE HAVE BEEN, ARE, AND ARE HEADED.** SYRACUSE UNIVERSITY COLLEGE OF LAW, SYRACUSE NY 13210. *SYRACUSE LAW REVIEW.* V 30, N 4 (FALL 1979), P 1093-1143. **NCJ-66643**

AMERICAN IMPLEMENTATIONS OF THE INTERNATIONAL LEAGUE OF SOCIETIES FOR THE MENTALLY HANDICAPPED (ILSMH) DECLARATION OF RIGHTS FOR MENTALLY RETARDED PEOPLE ARE REVIEWED IN TERMS OF ACCOMPLISHMENTS AND SHORTCOMINGS. THE ILSMH DECLARATION, ADOPTED IN 1968, WAS THE BASIS FOR THE 1975 UNITED NATIONS DECLARATION OF THE RIGHTS OF DISABLED PERSONS. ORGANIZATIONS SUCH AS THE AMERICAN ASSOCIATION ON MENTAL DEFICIENCY (AAMD) AND THE AMERICAN BAR ASSOCIATION (ABA) HAVE MOVED TO DEVELOP PROGRAMS IN ACCORDANCE WITH THE DECLARED PRINCIPLES OF NORMALIZATION, CONSENT, AND CHOICE FOR RETARDED PERSONS. MOREOVER, FEDERAL AND STATE LEGISLATURES AND COURTS HAVE PROHIBITED DISCRIMINATION AND GRANTED RIGHTS. NONETHELESS, THE IMPLEMENTATION STATUS OF ILSMH PROVISIONS IS SUCH THAT RETARDED PERSONS IN AMERICA STILL CANNOT VOTE. THEY ALSO SUFFER DISCRIMINATION IN EMPLOYMENT AND ACCESS TO PUBLIC PREMISES. THE FEDERAL RESPONSE TO PROVISIONS FOR EDUCATION, HEALTH, AND TREATMENT CARE IS SEEN AS ADEQUATELY LEGISLATED THROUGH FEDERAL ACTS FOR DEVELOPMENTALLY DISABLED ASSISTANCE AND

THE EDUCATION FOR ALL HANDICAPPED CHILDREN. RECOMMENDATIONS URGE STATE AND LOCAL GOVERNMETNS TO EFFECT SPECIFIC ZONING CHANGES SO THAT GROUP HOMES FOR THE RETARDED CAN BE ACOMMODATED AND THE RIGHT TO COMMUNITY LIVING REALIZED. THE RIGHT TO GUARDIANSHIP IS SEEN AS A DILEMMA BETWEEN PERSONAL FREEDOM AND RETARDED INDIVIDUALS' NEEDS FOR GUIDANCE; TO ENSURE THE PROPER BALANCE BETWEEN THEM, THE AAMD AND THE ABA HAVE ISSUED GUIDELINES. STATE RESPONSES TO THE RIGHT OF FREEDOM FROM ABUSE ARE TO BE CRITICIZED FOR THEIR INADEQUATE SOCIAL SERVICES TO THE RETARDED ABUSED AND FOR INVOLUNTARY STERILIZATION STATUTES. FURTHER, THE RIGHT OF DUE PROCESS FOR RETARDED INDIVIDUALS ENTAILS ADDITIONAL PROVISIONS, SUCH AS PERIODIC REVIEW OF ANY LIMITATION TO THEIR RIGHTS. MUCH OF THE PROGRESS IN AMERICA IS DUE TO THE AGREEMENT BETWEEN MENTAL HEALTH AND LEGAL PROFESSIONALS ON ISSUES OF EQUAL PROTECTION, SUBSTANTIVE AND PROCEDURAL DUE PROCESS, AND AFFIRMATIVE ACTION. HOWEVER, THE POLARIZATION OF MENTAL RETARDATION PROFESSIONALS AND CIVIL RIGHTS ADVOCATES WITH REGARD TO CIVIL COMMITMENT, GUARDIANSHIP, AND RIGHT TO TREATMENT MAY BECOME A MAJOR OBSTACLE TO FURTHER IMPLEMENTATIONS OF THE ILSMH DECLARATION. POLICY STATEMENTS, MODEL STATUTES, AND FOOTNOTES ARE INCLUDED.

Supplemental Notes: PRESENTED AT AND PUBLISHED IN THE PROCEEDINGS OF SEVENTH WORLD CONGRESS INTERNATIONAL LEAGUE OF SOCIETIES FOR THE MENTALLY HANDICAPPED, VIENNA, AUSTRIA, OCTOBER, 1978.

151. **H. R. TURNBULL 3RD. MENTALLY RETARDED PERSON AND FAMILY LAW—A NORTH CAROLINA SURVEY.** UNIVERSITY OF NORTH CAROLINA INSTITUTE OF GOVERNMENT, CHAPEL HILL NC 27515. 13 p. 1974. **NCJ-19030**

ANALYSIS OF NORTH CAROLINA STATUTORY RESTRICTIONS ON MENTALLY RETARDED PERSONS IN THE AREAS OF MARRIAGE, DIVORCE, ADOPTION, INVOLUNTARY STERILIZATION, ABORTION, BIRTH CONTROL, AND SEXUAL EXPRESSION. ALSO CONSIDERED ARE STATE LAWS REGARDING SEX OFFENSES RELATING TO PATIENTS OF CENTERS FOR THE MENTALLY RETARDED. THE AUTHOR MAINTAINS THAT THESE LAWS FAIL TO ADDRESS THE SOCIAL/SEXUAL PROBLEMS OF THE RETARDED DIRECTLY AND THAT THEY RAISE SERIOUS ISSUES OF SUBSTANTIVE DUE PROCESS AND EQUAL PROTECTION.

Availability: NCJRS MICROFICHE PROGRAM

152. **US CONGRESS HOUSE SUBCOMMITTEE ON COURTS, CIVIL LIBERTIES, AND THE ADMINISTRATION OF JUSTICE, WASHINGTON DC 20515. CIVIL RIGHTS FOR INSTITUTIONALIZED PERSONS—HEARINGS BEFORE THE SUBCOMMITTEE ON COURTS, CIVIL LIBERTIES, AND THE ADMINSTRATION OF JUSTICE, 95TH CONGRESS, 1ST SESSION ON HR 2439 AND HR 5791, APRIL 29, MAY 11, 13, 18, 23 1977.** 909 p. 1977. **NCJ-51991**

A TRANSCRIPT IS PROVIDED OF CONGRESSIONAL TESTIMONY ON LEGISLATION ENABLING THE JUSTICE DEPARTMENT TO INTERVENE ON BEHALF OF INSTITUTIONALIZED PERSONS WHEN THERE IS CAUSE TO BELIEVE THEIR RIGHTS ARE BEING VIOLATED. A JUDGE OF THE U.S. COURT OF APPEALS, A STATE ATTORNEY GENERAL, THE STAFF DIRECTOR OF THE AMERICAN BAR ASSOCIATIONS COMMISSION ON CORRECTIONAL FACILITIES, THE LEGAL DIRECTOR OF THE CHILDREN'S DEFENSE FUND, THE EXECUTIVE DIRECTOR OF THE NATIONAL PRISON PROJECT, A HARVARD LAW SCHOOL PROFESSOR, AN ASSISTANT U.S. ATTORNEY GENERAL, THE MANAGING ATTORNEY OF THE MENTAL HEALTH LAW PROJECT, A MEMBER OF THE BAR'S COMMISSION ON THE MENTALLY DISABLED, ATTORNEYS FROM THE NATIONAL SENIOR CITIZENS LAW CENTER, A NEW YORK CONGRESSMAN, A DEPUTY DIRECTOR OF THE NATIONAL LEGAL AID AND DEFENDER ASSOCIATION, THE DIRECTOR OF EDUCATION LAW CENTER, INC., AND A PUBLIC ADVOCATE FROM NEW JERSEY TESTIFIED ON TWO LEGISLATIVE PROPOSALS, BOTH OF WHICH WOULD GRANT THE ATTORNEY GENERAL THE AUTHORITY TO INTERVENE IN OR INITIATE SUITS IN FEDERAL COURT TO PROTECT THE CONSTITUTIONAL RIGHTS OF THE INSTITUTIONALIZED, INCLUDING THE ELDERLY, MENTALLY HANDICAPPED, CHILDREN, AND PRISONERS. IN ADDITION TO THE TRANSCRIPT, A SUBSTANTIAL SELECTION OF APPENDED MATERIALS ARE PROVIDED, INCLUDING LEGISLATIVE PROPOSALS, SUPPLEMENTAL MATERIALS FROM WITNESSES AND THE JUSTICE DEPARTMENT, GENERAL CORRESPONDENCE AND ADDITIONAL STATEMENTS, CORRESPONDENCE OF STATE ATTORNEYS GENERAL AND OTHER STATE OFFICIALS, RELATED CASE MATERIALS, SELECTED DATA CONCERNING CORRECTIONAL GRIEVANCE PROCEDURES, AND RELATED ARTICLES, EDITORIALS, AND MEMOS.

153. **P. M. WALD and P. R. FRIEDMAN. POLITICS OF MENTAL HEALTH ADVOCACY IN THE UNITED STATES (FROM LEGAL RIGHTS OF MENTALLY DISABLED PERSONS, VOLUME 1, P 29-46, 1979—SEE NCJ-68415).** 17 p. 1979. **NCJ-68416**

THIS ARTICLE EXAMINES THE MAJOR TENSIONS BETWEEN THE MENTAL HEALTH AND LEGAL SYSTEMS EVOKED BY LITIGATION DEFENDING THE RIGHTS OF MENTALLY RETARDED PERSONS. TEST CASES INVOLVING THE RIGHT OF THE MENTALLY HANDICAPPED TOOK PLACE IN THE 1970'S. THESE WERE FACILITATED BY ADVOCACY FROM WITHIN LEGAL SERVICES PROGRAMS AND BY REVELATIONS OF PATIENT NEGLECT AND ABUSE IN MENTAL HEALTH HOSPITALS. THE CRITICAL ISSUE UNDERLYING CLASS ACTION RIGHT-TO-TREATMENT AND RIGHT-TO-EDUCATION CASES OF THE MENTALLY RETARDED WAS JUDICIAL CONTROL OF FINANCING DECISIONS REGARDING STATE ALLOCATIONS TO HOSPITALS FOR THE MENTALLY RETARDED AND TO OTHER PROGRAMS AND AGENCIES. THIS CAUSED TENSION BETWEEN THE COURTS AND THE EXECUTIVE AND LEGISLATIVE BRANCHES OF GOVERNMENT. THE EFFORT OF PATIENT ADVOCATES WAS AIMED AT FORCING LEGISLATURES TO REALLOCATE THEIR FISCAL PRIORITIES. SECONDLY, MENTAL HEALTH ADVOCACY EFFORTS HAVE USED THE STRATEGIES OF BOTH THE CIVIL RIGHTS AND THE CONSUMER MOVEMENTS, CAUSING TENSIONS WITHIN THE ADVOCACY NETWORK. SERVICE-ORIENTED ADVOCATES AND CIVIL LIBERTARIANS TAKE RADICALLY DIFFERENT POSITIONS WITH REGARD TO THE ISSUE OF CIVIL COMMITMENT. THE FIRST GROUP UNDERSTANDS COMMITMENT AS A MEANS OF PROTECTING SOCIETY FROM POTENTIALLY DANGEROUS INDIVIDUALS WHILE AT THE SAME TIME PROVIDING TREATMENT TO WHICH THE PATIENTS ARE ENTITLED. CIVIL LIBERTARIANS, ON THE OTHER HAND, CONTEND THAT, WHATEVER THE ALLEGED BENEFITS OF MENTAL HEALTH INTERVENTIONS THROUGH CIVIL COMMITMENT, UNCONSTITUTIONAL CURTAILMENT OF LIBERTY IS INVOLVED. CIVIL LIBERTARIANS AND SERVICE-ORIENTED ADVOCATES ALSO DISAGREE ON THE RIGHT OF MENTAL PATIENTS TO BE PLACED IN THE LEAST RESTRICTIVE SETTING NECESSARY TO ACHIEVE THE LEGITIMATE STATE GOALS OF PROTECTING SOCIETY. A THIRD AREA OF PROFESSIONAL DISSENT INVOLVES MENTAL HEALTH PROFESSIONALS AND PATIENT ADVOCATES. THE PROFESSIONAL EXPERTISE OF PSYCHIATRISTS HAS BEEN CHALLENGED IN THE MATTER OF PREDICTING POTENTIAL DANGEROUSNESS. MOREOVER, SOME MENTAL HEALTH PROFESSIONALS HAVE SOUGHT TO PROHIBIT INVOLUNTARY PATIENT SUBJECTION TO SUCH TYPES OF THERAPY AS BEHAVIOR MODIFICATION, STERILIZATION, AND ELECTROSHOCK TREATMENTS. PSYCHIATRISTS ORDERING SUCH TREATMENT MAY BE WORKING IN THE INTERESTS OF THE

INSTITUTION OR SOCIETY RATHER THAN IN THE INDIVIDUAL INTERESTS OF THE PATIENT. THESE VARIOUS PROFESSIONAL AND IDEALISTIC CONFRONTATIONS CENTER AROUND A BASIC CONFLICT OF VALUES ROOTED IN THE CONSTITUTION. SINCE THE RIGHTS OF THE MENTALLY RETARDED SEEM TO INVOLVE A CHOICE BETWEEN LIBERTY AND THE PURSUIT OF HAPPINESS. FOOTNOTES ARE PROVIDED.

Supplemental Notes: REPRINTED WITH PERMISSION FROM THE INTERNATIONAL JOURNAL OF LAW AND PSYCHIATRY, V 137 (1978).

154. **WASHINGTON UNIVERSITY SCHOOL OF LAW, ST LOUIS MO 63130. DUE PROCESS REQUIRES PROOF BEYOND REASONABLE DOUBT FOR COMMITMENT OF SEX OFFENDERS—PEOPLE V BURNICK, 14 CAL 3D 306, 535 P 2D 352, 121 CAL RPTR 488 (1975).** *WASHINGTON UNIVERSITY LAW QUARTERLY*, V 1975, N 4 (1976), P 1092-1110. **NCJ-37228**

ANALYSIS OF THE CALIFORNIA SUPREME COURT RULING IN PEOPLE V BURNICK (1975) WHICH HELD THAT DUE PROCESS STANDARDS REQUIRE PROOF BEYOND A REASONABLE DOUBT OF ALL ELEMENTS NECESSARY TO COMMIT MENTALLY DISORDERED SEX OFFENDERS. THE AUTHOR EXAMINES OTHER SUPREME COURT DECISIONS EXTENDING THE RIGHTS OF CRIMINAL DEFENDANTS TO DEFENDANTS IN NONCRIMINAL PROCEEDINGS THAT JEOPARDIZE LIBERTY. THE FAILURE OF THE COURT TO SPECIFY THE EXTENT TO WHICH DUE PROCESS REQUIRES THE STATE TO PROVE ITS CASE BEYOND A REASONABLE DOUBT IN NONCRIMINAL PROCEEDINGS IS DISCUSSED AS ARE DIFFERENT STANDARDS OF PROOF DEVELOPED BY STATE COURTS FOR USE IN CIVIL COMMITMENT CASES. THE IMPLICATIONS OF BURNICK FOR DEFENDANTS ACQUITTED BY REASON OF INSANITY AND PROCEEDINGS TO COMMIT THE MENTALLY RETARDED IN CALIFORNIA ARE BRIEFLY COVERED.

155. **M. WOLF. LEGAL SERVICES FOR THE SPECIAL NEEDS OFFENDERS.** ASSOCIATION OF TRIAL LAWYERS OF AMERICA. *TRIAL*, V 13, N 8 (AUGUST 1977), P 38-41. **NCJ-43070**

SPECIALIZED TRAINING AND ADVOCACY PROGRAM (STAP) IN ROXBURY AND BROOKLINE, MASSACHUSETTS, DISTRICT COURTS IS DESCRIBED. IT DEALS PRINCIPALLY WITH THE SPECIAL NEEDS OF THE MENTALLY RETARDED DEFENDANT AND OFFENDER. NOW OPERATING IN FOUR COURTS IN THE STATE, STAP BEGAN IN NOVEMBER 1975 AND CONTINUED THROUGH AUGUST 1976 FUNDED BY A PILOT PROJECT GRANT FROM THE AMERICAN BAR ASSOCIATION, AND SINCE SEPTEMBER 1976, HAS OPERATED ON EXPANDED PROGRAM THROUGH A GRANT FROM THE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION. ADVOCATES, WHO STAFF THE PROGRAM, MEET WITH MENTALLY RETARDED DEFENDANTS MORE FREQUENTLY THAN WAS THE CASE PRIOR TO THE ESTABLISHMENT OF THE PROGRAM, AND PARENTS ARE ALSO CONSULTED FOR CONSIDERATION OF THE EDUCATIONAL, FAMILY, AND VOCATIONAL PROBLEMS OF THE CLIENT. WHERE APPROPRIATE, THE SCHOOL DEPARTMENT IS USED TO CONDUCT AN EVALUATION OF THE CLIENT AND THE ADVOCATE RECOMMENDS TO SCHOOL AUTHORITIES' APPROACHES FOR DEALING WITH THE CLIENT'S EDUCATIONAL NEEDS. THE ADVOCATE ACTS AS A SUPPORTIVE, ADVISORY, AND HELPING PRESENCE IN THE COURSE OF THE CLIENT'S DEVELOPING OF APPROPRIATE SURVIVAL SKILLS. THE PROGRAM GREW OUT OF THE RECOGNITION THAT MENTALLY RETARDED PERSONS ACCUSED AND CONVICTED OF OFFENSES WERE NOT AS EQUIPPED AS OTHER PERSONS TO TAKE ADVANTAGE OF THE RIGHTS, DEFENSES, AND SERVICES AVAILABLE TO THEM WITHIN THE CRIMINAL JUSTICE SYSTEM.

Availability: (Not available through NCJRS Document Loan Program)

DEINSTITUTIONALIZATION

156. **E. BURLING. DEINSTITUTIONALIZATION IN OREGON—A REVIEW OF SERVICES WITHIN THE HUMAN RESOURCES SYSTEM.** OREGON DEPARTMENT OF HUMAN RESOURCES, PUBLIC SERVICE BUILDING, SALEM OR 97310. 122 p. 1975. **NCJ-52248**

OREGON DEPARTMENT OF HUMAN RESOURCES FACILITIES AND SERVICES AVAILABLE TO PEOPLE WHO HAVE BEEN RELEASED FROM INSTITUTIONS OPERATED BY THE DEPARTMENT ARE ASSESSED. THE REVIEW IS CONCERNED WITH THE AVAILABILITY OF SERVICES FOR DEINSTITUTIONALIZED POPULATIONS OF MENTALLY AND EMOTIONALLY DISTURBED, MENTALLY RETARDED, DEVELOPMENTALLY DISABLED, AND ALCOHOL- AND DRUG-DEPENDENT PERSONS. PARTICULAR ATTENTION IS DIRECTED TO INTERAGENCY SUPPORT SYSTEMS AND TO THE CONTINUITY OF SERVICES FROM THE TIME THE CLIENT LEAVES THE INSTITUTION UNTIL HE OR SHE IS INTEGRATED IN TO THE COMMUNITY. PREPLACEMENT (DISCHARGE) PLANNING AND FOLLOWUP SERVICES AT FIVE STATE INSTITUTIONS ARE ASSESSED, TOGETHER WITH COMMUNITY LIVING OPTIONS, HEALTH SERVICES, EDUCATION AND TRAINING OPPORTUNITIES, EMPLOYMENT, TRANSPORTATION, AND LEISURE/RECREATION FACILITIES FOR DEINSTITUTIONALIZED PERSONS IN SEVEN OREGON COMMUNITIES. THREE FACTORS ARE FOUND TO BE ESSENTIAL FOR SUCCESSFUL DEINSTITUTIONALIZATION AND REINTEGRATION INTO THE COMMUNITY: (1) INVOLVEMENT OF INSTITUTIONAL AND COMMUNITY AGENCY STAFF AND THE CLIENT IN PRERELEASE PLANNING FOR MONITORED, CONSISTENT FOLLOWUP SERVICES; (2) ESTABLISHMENT OF A 'DAY PLAN' FOR EACH CLIENT, PROVIDING FOR RECREATION, WORK, AND/OR TRAINING IN THE COMMUNITY; AND (3) RETURN TO THE CLIENT'S NATURAL HOME OR A PLACEMENT IN A SUPERVISED LIVING ARRANGEMENT SUITED TO THE NEEDS OF THE CLIENT. CONCLUSIONS ARE DRAWN REGARDING AREAS IN WHICH SERVICE DELIVERY FOR DEINSTITUTIONALIZATION PERSONS NEEDS TO BE IMPROVED.

Availability: NTIS. Accession No. SHR-0000671. (Microfiche)

157. **W. E. DATEL and J. G. MURPHY. SERVICE-INTEGRATING MODEL FOR DEINSTITUTIONALIZATION.** US DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE NATIONAL INSTITUTE OF MENTAL HEALTH, 5600 FISHERS LANE, ROCKVILLE, MD 20852. *ADMINISTRATION IN MENTAL HEALTH (SPRING 1975)*. P. 35-45. **NCJ-51898**

THIS ARTICLE DISCUSSES AN INTEGRATION OF SERVICES MODEL FOR ORDERLY DEINSTITUTIONALIZATION IN VIRGINIA FEATURING A COALITION OF INSTITUTION AND COMMUNITY WORKERS TO ASSESS CLIENTS' NEEDS AND PRESCRIBE SERVICES. THE TARGET POPULATION CONSISTS OF 500 MENTALLY ILL AND 400 MENTALLY RETARDED PERSONS AND 70 JUVENILES, ALL FROM PLANNING DISTRICT 6 (RURAL AREA) OR PORTSMOUTH (URBAN AREA) AND HOUSED IN STATE INSTITUTIONS THAT ARE LARGELY OUTSIDE THE DEMONSTRATION AREAS. THE MODEL HAS FIVE SOCIOTECHNICAL COMPONENTS: (1) ASSESSMENT AND PRESCRIPTION TEAM, AN INTERDISCIPLINARY COALITION OF 10 TO 12 INSTITUTIONAL STAFF AND COMMUNITY SERVICE DELIVERERS; (2) BROKER ADVOCATE WHO ACTS FOR THE CLIENT IN ARRANGING AND MAINTAINING SERVICE DELIVERY; (3) AUTOMATED INFORMATION SYSTEM USED BY CASE MANAGERS AND PROGRAM ADMINISTRATORS; (4) QUALITY CONTROL TEAM, PROJECT STAFF WHO EVALUATE, DEVELOP, AND COORDINATE THE SYSTEM AND IDENTIFY PROBLEM ISSUES; AND (5) COMMITTEE OF COMMISSIONERS, THE GOVERNING BODY FOR THE MODEL'S OPERATION. THE MODEL ALSO INCLUDES PROGRAM ACTIVITIES NOT DIRECTLY RELATED TO THE CLIENT SUCH AS A MANAGEMENT INFORMATION SYSTEM, COST-BENEFIT ANALYSIS, COMMUNITY DEVELOPMENT, ESTABLISHMENT OF COMMUNICATION CHANNELS, LEGISLATIVE REFORM, AND RESOURCE DEVELOPMENT. A STRONG JUSTIFICATION FOR A DEINSTITUTIONALIZATION POLICY CAN BE BASED ON SIMPLE HUMANITARIANISM, CIVIL RIGHTS, COST CONSCIOUSNESS, OR THE STATE OF REHABILITATIVE ART. IT IS OBVIOUS, HOWEVER, THAT COMMUNITY PLACEMENT WITHOUT COMMUNITY SUPPORT IS AN UNFAIR TEST OF THE DEINSTITUTIONALIZATION CONCEPT. THE VIRGINIA MODEL ATTEMPTS TO OVERCOME SOME OF THE PROBLEMS ENCOUNTERED BY OTHER STATES IN THE DEINSTITUTIONALIZATION PROCESS SUCH AS IMPERMEABILITY OF STATE AND COMMUNITY ORGANIZATIONAL BOUNDARIES, LACK OF COMMUNITY SERVICES, HIGH RECIDIVISM RATES, INSUFFICIENT ACCOUNTABILITY AND PLANNING, AND LACK OF COMMUNICATION, COORDINATION, AND FOLLOWUP. SINCE THE MODEL BEGAN PROCESSING CLIENTS IN MAY 1973, 65 PERCENT OF 376 CLIENTS HAVE BEEN RECOMMENDED FOR COMMUNITY PLACEMENTS, 22 PERCENT HAVE BEEN PLACED, AND 4 HAVE RETURNED TO INSTITUTIONS. FIGURES ILLUSTRATE THE CLIENT-PROCESSING PROCE-

DURES, AND REFERENCES AND A BIBLIOGRAPHY ARE INCLUDED.

Supplemental Notes: EXCERPTS PRESENTED TO THE PRESIDENT'S COMMITTEE ON MENTAL RETARDATION IN PHILADELPHIA, JUNE 20, 1974.

Sponsoring Agency: US DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE SOCIAL & REHABILITATION SERVICE, 330 C STREET, SW, WASHINGTON DC 20024.

158. **B. E. DELURY. EQUAL JOB OPPORTUNITY FOR THE HANDICAPPED MEANS POSITIVE THINKING AND POSITIVE ACTION.** COMMERCE CLEARINGHOUSE, INC, 4025 WEST PETERSON AVENUE, CHICAGO IL 60646. *LABOR LAW JOURNAL*. V 26, N 11 (NOVEMBER 1975), P 679-685.
NCJ-58945

THIS DISCUSSION OF THE RAMIFICATIONS OF THE REHABILITATION ACT OF 1973 AND SPECIFICALLY SECTION 503 STRESSES THE NEED FOR AFFIRMATIVE ACTION IN THE HIRING OF THE HANDICAPPED IN THE FEDERAL GOVERNMENT. SECTION 503 OF THE REHABILITATION ACT STATES THAT ANY EMPLOYER WITH A FEDERAL CONTRACT OR SUBCONTRACT MUST TAKE AFFIRMATIVE ACTION TO HIRE AND PROMOTE QUALIFIED PHYSICALLY AND MENTALLY HANDICAPPED PERSONS. THIS MEANS PLANNING AND IMPLEMENTING AN OUTREACH PROGRAM SO THE HANDICAPPED ARE SCREENED IN, RATHER THAN SCREENED OUT, BY EMPLOYERS. AFFIRMATIVE ACTION MUST ALSO ENLIST THE ASSISTANCE AND SUPPORT OF RECRUITING SOURCES SUCH AS THE STATE EMPLOYMENT SERVICES AND SOCIAL SERVICE ORGANIZATIONS SERVING THE HANDICAPPED. THIS COULD INCLUDE REVIEWING EMPLOYMENT RECORDS TO DETERMINE IF THE SKILLS OF THE CURRENT HANDICAPPED EMPLOYEES ARE BEING FULLY UTILIZED AND DEVELOPED. IT MIGHT INVOLVE MODIFYING CERTAIN TOOLS SO A HANDICAPPED EMPLOYEE CAN DO THE JOB. THIS ARTICLE, BY ASSISTANT SECRETARY OF LABOR FOR EMPLOYMENT STANDARDS, DETAILS HOW THE SECTION 503 PROGRAM DEVELOPED AND HOW A CONTRACTOR CAN TAKE AFFIRMATIVE ACTION. IDEAS SUGGESTED ARE POSITIVE RECRUITMENT EFFORTS, ACCOMMODATIONS TO THE LIMITATIONS OF REEVALUATION OF PHYSICAL STANDARDS REQUIRED FOR THE JOB, FOR THE JOB COMPENSATION POLICY, AND INTERNAL AND DISSEMINATION OF AFFIRMATIVE ACTION POLICY. A DISCUSSION DISCUSSION OF HOW SECTION 503 IS ENFORCED FOLLOWS, WITH ADVICE ON THE PROCEDURES COMPLAINANTS SHOULD USE TO FILE GRIEVANCES WITH THE DEPARTMENT OF LABOR. A SECTION DEALS WITH PENALTIES FOR VIOLATING SECTION 503. LASTLY, THE PROBLEMS THAT STILL REMAIN IN IMPLEMENTING THE PROGRAM ARE OUTLINED, AND EMPLOYERS ARE URGED TO PROVIDE GREATER JOB OPPORTUNITY FOR THE HANDICAPPED.

159. **O. DRIEDGER. CANADIAN EXPERIENCE—THE SYSTEM OF CRIME CONTROL IN SASKATCHEWAN (FROM ALTERNATIVE STRATEGIES FOR COPING WITH CRIME, 1978, BY NORMAN TUTT—SEE NCJ—53694).** BASIL BLACKWELL, 5 ALFRED STREET, OXFORD OX1 4HB, ENGLAND. 17 p. 1978. United Kingdom.
NCJ-53700

ALTERNATIVE PROGRAMS TO ADULT AND JUVENILE INSTITUTIONALIZATION IN SASKATCHEWAN (CANADA) ARE DESCRIBED AS WELL AS VARIOUS METHODS FOR CRIME PREVENTION. SINCE THE ADOPTION OF THE FAMILY SERVICE ACT OF 1973, THE POLICE CAN USE DISCRETION IN ARRESTING JUVENILE OFFENDERS BUT THEY MUST TURN OVER APPREHENDED YOUTHS TO THE CHILD WELFARE WORKER. TOGETHER POLICE AND SOCIAL SERVICE WORKERS DECIDE WHETHER INFORMAL SUPERVISION OF THE CHILD IS ADEQUATE OR IF CHARGES SHOULD BE FILED. IF A CHILD IS CHARGED WITH AN OFFENSE, THE CHILD AND THE PARENTS APPEAR BEFORE THE JUDGE WITHIN 3 WEEKS, AND THE JUDGE MAKES A GUILTY OR NONGUILTY DECISION. A CONVICTED CHILD IS TRANSFERRED TO THE MINISTER OF SOCIAL WELFARE OR TRANSFERRED TO ADULT COURT. THE MINISTER CAN PLACE A CHILD IN A FOSTER HOME, A GROUP HOME, OR A TEMPORARY HOLDING CENTER. THE DEVELOPMENTS IN ADULT CORRECTIONAL SERVICES IN THE LATE 1940'S AND 1950'S CENTERED AROUND DEVELOPING BASIC PROBATION SERVICES AND TREATMENT AND REHABILITATIVE SERVICES. IN THE 1960'S AND 1970'S, ALTERNATIVES TO INSTITUTIONALIZATION SUCH AS PROBATION, ABSOLUTE OR CONDITIONAL DISCHARGE, FINES, AND INTERMITTENT SENTENCING HAVE BEEN EXPERIMENTED WITH. INNOVATION IN CRIME PREVENTION IN SASKATCHEWAN INCLUDE A COMMUNITY PEACE OFFICER PROGRAM FOR DEALING WITH VIOLENCE BEFORE IT BECOMES CRIMINAL, A COORDINATED SERVICE APPROACH FOR CARE OF ALCOHOLICS, AND COMMUNITYBASED TREATMENT PROGRAMS FOR MENTALLY RETARDED PERSONS. THE CANADIAN LAW REFORM COMMISSION IS CURRENTLY REVIEWING THE PENAL LAW AND CONSIDERING WAYS TO DECRIMINALIZE BEHAVIOR THAT HAS SOCIAL OR MORAL RATHER THAN CRIMINAL BASE AND INVESTIGATING POSSIBLE CULTURAL OR RACIAL DISCRIMINATION WITHIN THE LAW.

160. **J. R. EARP JR. INVESTIGATION OF THE DIVISION OF VOCATIONAL REHABILITATION'S DEINSTITUTIONALIZATION PROGRAM AT ELLISVILLE STATE SCHOOL.** 78 p. 1975.
NCJ-49351

A PROGRAM DESIGNED TO PREPARE MENTALLY RETARDED PERSONS TO LIVE INDEPENDENTLY OR SEMI-INDEPENDENTLY IN THE COMMUNITY IS ASSESSED IN TERMS OF THE VOCATIONAL PLACEMENT EXPERIENCES OF TRAINEES. ELLISVILLE STATE SCHOOL, THE LARGEST RESIDENTIAL FACILITY FOR MENTALLY RETARDED PERSONS IN MISSISSIPPI, IS THE SITE OF A VOCATIONAL REHABILITATION CENTER FOR BOTH INSTITUTIONALIZED AND COMMUNITY-REFERRED MENTALLY RETARDED PERSONS. THE CENTER PREPARES CLIENTS FOR OCCUPATIONAL AND RESIDENTIAL PLACEMENT IN THE COMMUNITY. THE STUDY ADDRESSES THE QUESTION OF WHETHER INSTITUTIONAL CLIENTS CAN BE VOCATIONALLY TRAINED BY THE SAME PROCEDURES USED TO TRAIN COMMUNITY-REFERRED CLIENTS. VARIABLES OF INTELLIGENCE QUOTIENT (IQ), AGE, SEX, LENGTH OF INSTITUTIONALIZATION, SPECIAL CLASS PARTICIPATION, JOB PERFORMANCE, AND COMMUNITY LIVING WERE CONSIDERED FOR 24 INSTITUTIONAL AND 24 COMMUNITY-REFERRED CLIENTS ATTENDING THE SCHOOL FROM 1970 THROUGH 1973. THERE WAS NO SIGNIFICANT DIFFERENCE IN VOCATIONAL PLACEMENT SUCCESS RATES BETWEEN THE TWO GROUPS. THE ACTUAL INCIDENCE OF SUCCESSFUL PLACEMENT WAS HIGHER FOR THE INSTITUTIONAL GROUP. THE MAJORITY OF PLACEMENT FAILURES RESULTED FROM INAPPROPRIATE SOCIAL-CIVIC BEHAVIOR RATHER THAN FROM POOR JOB PERFORMANCE. INSTITUTIONAL CLIENTS WHO WERE SUCCESSFUL IN VOCATIONAL PLACEMENT HAD IQ'S THAT WERE BELOW THE AVERAGE IQ AMONG CLIENTS WHO FAILED. SUCCESSFUL CLIENTS HAD SPENT LONGER PERIODS OF TIME IN RESIDENTIAL FACILITIES THAN HAD UNSUCCESSFUL CLIENTS. AGE, SEX, AND RACE WERE ALSO SIGNIFICANT FACTORS IN PLACEMENT SUCCESS; SPECIAL EDUCATION PROGRAM PARTICIPATION WAS NOT. SUPPORTING DATA AND A LIST OF REFERENCES ARE INCLUDED.

Supplemental Notes: UNIVERSITY OF SOUTHERN MISSISSIPPI—DOCTORAL DISSERTATION.

Availability: UNIVERSITY MICROFILMS, 300 NORTH ZEEB ROAD, ANN ARBOR MI 48106. Stock Order No. 76-4444.

161. **R. HOUCK. OPERATION LIFELINE.** INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE, 11 FIRSTFIELD ROAD, GAITHERSBURG MD 20760. *POLICE CHIEF*. V 42, N 3 (MARCH 1975), P 59.
NCJ-38854

A DESCRIPTION OF A POLICE OPERATED PROGRAM IN WHICH COMMUNITY SERVICE OFFICERS AND VOLUNTEERS

MAINTAIN DAILY CONTACT WITH ELDERLY PERSONS LIVING ALONE TO ENSURE THAT THEY RECEIVE MEDICAL OR SOCIAL AID WHEN NEEDED. THE OPERATION LIFELINE PROGRAM WAS DESIGNED TO ENABLE ELDERLY AND HANDICAPPED PERSONS WHO LIVE ALONE TO KEEP IN TOUCH WITH THE OUTSIDE WORLD, PARTICULARLY IN THOSE SITUATIONS IN WHICH AN ILLNESS OR INJURY OCCURS AND THE PERSON IS UNABLE TO SUMMON HELP. ELDERLY OR HANDICAPPED PERSONS REGISTER WITH THE POLICE CRIME PREVENTION UNIT, AND ARE INSTRUCTED TO TELEPHONE THE UNIT AT A CERTAIN TIME OF DAY. IF NO CALL IS RECEIVED, A COMMUNITY SERVICE OFFICER WILL CALL AND/OR VISIT THE PROGRAM PARTICIPANT, TO ENSURE THAT NO EMERGENCY HAS OCCURRED. INFORMATION ON CRIME PREVENTION AND SOCIAL SERVICES IS ALSO GIVEN TO PROGRAM MEMBERS. VOLUNTEERS ARE BEING USED TO HANDLE TELEPHONE CALLS AT CERTAIN TIMES, AND EFFORTS TO INCREASE VOLUNTEER PARTICIPATION IN THE PROGRAM HAVE BEEN UNDERTAKEN.

162. **F. A. KOESTLER. JOBS FOR HANDICAPPED PERSONS—A NEW ERA IN CIVIL RIGHTS.** PUBLIC AFFAIRS COMMITTEE, INC, 381 PARK AVENUE SOUTH, NEW YORK NY 10016. 32 p. 1979. **NCJ-58848**

AN OVERVIEW OF DEVELOPMENTS LEADING TO GREATER EMPLOYMENT OPPORTUNITIES FOR HANDICAPPED PERSONS IS PRESENTED IN A PAMPHLET PUBLISHED BY A NONPROFIT PUBLIC EDUCATION ORGANIZATION. THE PAMPHLET REVIEWS THE STATUS OF FEDERAL LAWS AND REGULATIONS PERTAINING TO THE RIGHTS OF THE HANDICAPPED, PARTICULARLY AS THOSE RIGHTS AFFECT EMPLOYMENT OPPORTUNITIES. EFFORTS BY THE HANDICAPPED TO COMBAT DISCRIMINATION AND TO ACHIEVE AFFIRMATIVE ACTION ARE DESCRIBED, AS ARE THE COMPONENTS OF AFFIRMATIVE ACTION MEASURES FOR THE HANDICAPPED (REMOVAL OF ARCHITECTURAL BARRIERS, REASONABLE ACCOMMODATIONS TO THE NEEDS OF HANDICAPPED STUDENTS AND EMPLOYEES, INITIATION OF POSITIVE STEPS TO RECRUIT, TRAIN, HIRE, AND PROMOTE QUALIFIED HANDICAPPED WORKERS). THE FINDINGS OF A 1973 STUDY THAT EXPOSED SEVERAL MYTHS ABOUT THE EXPENSES INVOLVED IN EMPLOYING HANDICAPPED PERSONS ARE SUMMARIZED. EFFORTS BY THE FEDERAL GOVERNMENT, EDUCATIONAL INSTITUTIONS, INDUSTRIES, AND LABOR ORGANIZATIONS TO ENHANCE EMPLOYMENT OPPORTUNITIES FOR HANDICAPPED PERSONS ARE DESCRIBED, AS ARE TECHNOLOGICAL ADVANCES THAT HAVE BROADENED JOB OPPORTUNITIES FOR PERSONS WHO ARE PARALYZED, BLIND, OR DEAF. PARTICULAR ATTENTION IS DIRECTED TO THE 'INVISIBLE BARRIER'--THE SOCIETAL ATTITUDE THAT ACCORDS HANDICAPPED PERSONS PITY INSTEAD OF EQUITY, CHARITY INSTEAD OF OPPORTUNITY, AND INDULGENCE INSTEAD OF ACCOUNTABILITY. CHANNELS THROUGH WHICH HANDICAPPED PERSONS CAN FILE COMPLAINTS ABOUT DISCRIMINATION ARE IDENTIFIED, TOGETHER WITH SOURCES OF ADDITIONAL INFORMATION.

Supplemental Notes: PUBLIC AFFAIRS PAMPHLET NO 557.

Availability: PUBLIC AFFAIRS COMMITTEE, INC, 381 PARK AVENUE SOUTH, NEW YORK NY 10016. (Pamphlet)

163. **N. D. LITTLE. REHABILITATION CENTER DROPOUT—A DEMOGRAPHIC AND MOTIVATIONAL ASSESSMENT.** 103 p. 1970. **NCJ-49350**

DEMOGRAPHIC AND PSYCHOLOGICAL TRAITS OF DISABLED CLIENTS WHO DROPPED OUT OF A REHABILITATION CENTER PROGRAM ARE COMPARED WITH TRAITS OF CLIENTS WHO COMPLETED THE PROGRAM, AND A PREDICTIVE MODEL IS DEVELOPED. DEMOGRAPHIC DATA AND MOTIVATIONAL ANALYSIS TEST SCORES WERE OBTAINED FROM 123 MENTALLY OR PHYSICALLY DISABLED CLIENTS ENROLLED AT THE HOT SPRINGS (ARK.) REHABILITATION CENTER, A COMPREHENSIVE, RESIDENTIAL FACILITY OFFERING DIAGNOSTIC, MEDICAL, VOCATIONAL TRAINING, COUNSELING, SPECIAL EDUCATION, AND OTHER SERVICES TO PHYSICALLY AND MENTALLY HANDICAPPED PERSONS. OF THIS GROUP, 54 SUBSEQUENTLY DROPPED OUT OF THE PROGRAM. COMPARISON OF THE DEMOGRAPHIC AND MOTIVATIONAL CHARACTERISTICS OF DROPOUTS AND COMPLETERS (AS MEASURED BY THE MOTIVATIONAL ANALYSIS TEST) REVEALS THAT INFORMATION REGARDING PREVIOUS REHABILITATION SERVICES AND GOALS AT THE TIME OF ENROLLMENT IS THE BEST PREDICTOR OF WHETHER AN INDIVIDUAL CLIENT WILL COMPLETE THE PROGRAM OR DROP OUT. CLIENTS WHO HAD RECEIVED COMPREHENSIVE EVALUATION OR VOCATIONALLY ORIENTED DIAGNOSTIC SERVICES WERE LESS LIKELY TO DROP OUT THAN WERE CLIENTS WHO WENT DIRECTLY INTO VOCATIONAL TRAINING. AN EQUATION EMPLOYING SIX DEMOGRAPHIC AND THREE MOTIVATIONAL VARIABLES PREDICTED PROGRAM COMPLETION WITH 73.59-PERCENT ACCURACY. IMPLICATIONS OF THESE AND OTHER FINDINGS ARE DISCUSSED. IT IS RECOMMENDED THAT SOME PERSONS WILL BENEFIT MORE FROM REHABILITATION PROGRAMS OUTSIDE OF THE INSTITUTIONAL ATMOSPHERE OF A REHABILITATION CENTER. GUIDELINES TO ASSIST IN THE RECOGNITION OF PERSONS WHO WILL BENEFIT FROM REHABILITATION CENTERS SHOULD BE DEVELOPED. STUDY INSTRUMENTS, SUPPORTING DATA, AND A BIBLIOGRAPHY ARE INCLUDED.

Supplemental Notes: UNIVERSITY OF ARKANSAS—DOCTORAL DISSERTATION.

Availability: UNIVERSITY MICROFILMS, 300 NORTH ZEEB ROAD, ANN ARBOR MI 48106. Stock Order No. 70-26,202.

164. **G. R. NEUFELD. APPROACHES TO DEINSTITUTIONALIZATION (FROM DEINSTITUTIONALIZATION—PROGRAM AND POLICY DEVELOPMENT, 1977, BY JAMES L PAUL ET AL—SEE NCJ-51886).** SYRACUSE UNIVERSITY PRESS, 1011 EAST WATER STREET, SYRACUSE NY 13210. 35 p. 1977. **NCJ-51887**

THIS CHAPTER ATTEMPTS TO EXAMINE SOME OF THE PROCEDURES USED TO DEPOPULATE INSTITUTIONS AND PROVIDE COMMUNITY ALTERNATIVES FOR DEVELOPMENTALLY DISABLED CITIZENS. COMPREHENSIVE APPROACHES TO DEINSTITUTIONALIZATION INCLUDE STATE AGENCY, REGIONAL, INSTITUTIONAL, COMMUNITY, AND INDIVIDUAL INITIATIVES. MOST LARGE RESIDENTIAL FACILITIES ARE STATE-OPERATED PROGRAMS. DEINSTITUTIONALIZATION IN CONNECTICUT IS CHARACTERIZED BY STRONG PLANNING AT THE STATE LEVEL, WITH THE STATE MENTAL RETARDATION AGENCY ASSUMING A MAJOR LEADERSHIP ROLE. REGIONAL MENTAL RETARDATION INSTITUTIONS, AS PARTNERS WITH THE STATE AGENCY, HAVE MOBILIZED CITIZEN SUPPORT AND DEVELOPED COMMUNITY ALTERNATIVES TO ACHIEVE DEINSTITUTIONALIZATION GOALS. PRIMARY OBJECTIVES OF THE CHILD ADVOCACY CENTER IN DURHAM, N.C., ARE TO HELP RESIDENTIAL INSTITUTIONS DEVELOP INSTITUTIONAL RENEWAL PROCEDURES, TO DEVISE PROCEDURES FOR THE DEPOPULATION OF INSTITUTIONS, AND TO DEVELOP MEASURES FOR PREVENTING THE FLOW OF PERSONS INTO INSTITUTIONS. THE STATE DEPARTMENT OF MENTAL HEALTH IS DIVIDED INTO FOUR REGIONS, WITH AN ALCOHOLIC REHABILITATION CENTER, A PSYCHIATRIC HOSPITAL, AND A MENTAL RETARDATION CENTER SERVING EACH REGION. BECAUSE THE PROVISION OF SERVICES TO MENTALLY RETARDED CITIZENS IS PRIMARILY THROUGH THE STATE'S REGIONAL MENTAL RETARDATION INSTITUTIONS, NORTH CAROLINA IS CHARACTERIZED AS EMBRACING AN INSTITUTIONAL PHILOSOPHY. REGIONAL INITIATIVES IN THE STATES OF WASHINGTON, NEW YORK, AND NEBRASKA, THE CANADIAN PROVINCE OF SASKATCHEWAN, AND COMMUNITY OR LOCAL INITIATIVES IN NEW YORK AND WISCONSIN ARE CITED. VARIOUS INSTITUTIONAL AND INDIVIDU-

AL INITIATIVES ARE NOTED ALSO. THE ROLE OF SPECIFIC PROJECTS IN THE DEINSTITUTIONALIZATION MOVEMENT IS CONSIDERED IN RELATION TO THE USE OF CROSS-MODALITY TEAMS TO ASSIST IN DEINSTITUTIONALIZATION ACTIVITIES, PUBLIC AWARENESS PROGRAMMING, AND VOUCHER SYSTEM EXPERIMENTS. ATTENTION IS GIVEN TO COURT INTERVENTION IN CASES INVOLVING THE VIOLATION OF HUMAN RIGHTS, CITIZEN AROUSAL, AND PROGRAM STANDARDS AND MONITORING PROCEDURES REGARDING DEINSTITUTIONALIZATION. REFERENCES ARE INCLUDED.

165. **NEW YORK DEPARTMENT OF CORRECTIONAL SERVICES, ALFRED E SMITH STATE OFFICE, BUILDING, P O BOX 7033, ALBANY, NY 12225. CHARACTERISTICS OF INMATES DISCHARGED FROM NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES INSTITUTIONS IN 1972.** 20 p. 1973. **NCJ-11846**

CHARACTERISTICS OF SANE INMATES DISCHARGED AND SUMMARY DATA ON TYPES OF SERVICES RECEIVED WHILE UNDER CUSTODY. THE FOLLOWING SELECTED ITEMS ARE COVERED—TYPE OF RELEASE, TIME SERVED SINCE LAST ADMISSION, EMPLOYABILITY, MEDICAL SERVICES, HOURS OF EDUCATION, GRADE ACHIEVEMENT ON RELEASE, PRINCIPAL TYPE OF ORGANIZED VOCATIONAL TRAINING, CORRECTION INDUSTRY EXPERIENCE, MINOR AND MAJOR DISCIPLINE REPORTS, INMATE'S ATTITUDE TOWARD AUTHORITY AND OTHER INMATES, AND PSYCHOLOGICAL AND PSYCHIATRIC SERVICES AND CONTRACT. IN ADDITION, SUMMARY FIGURES ARE SHOWN FOR THE MAXIMUM SECURITY AND MEDIUM SECURITY CORRECTIONAL FACILITIES AND INSTITUTIONS FOR THE MENTALLY RETARDED, FOR THESE THREE GROUPS COMBINED, AND FOR BOTH SEXES. (AUTHOR ABSTRACT)

166. **J. P. NORTHRUP. OLD AGE, HANDICAPPED AND VIETNAM-ERA ANTIDISCRIMINATION LEGISLATION.** UNIVERSITY OF PENNSYLVANIA WHARTON SCHOOL INDUSTRIAL RESEARCH UNIT, VANCE HALL / CS, PHILADELPHIA PA 19104. 250 p. 1977. **NCJ-59550**

FEDERAL LAWS ON EQUAL EMPLOYMENT OPPORTUNITIES FOR ELDERLY PERSONS, HANDICAPPED PERSONS, AND DISABLED AND VIETNAM-ERA VETERANS ARE EXAMINED, WITH EMPHASIS ON THE LAWS' APPLICATION AND IMPACT. THE 15TH IN A SERIES ON LABOR-MANAGEMENT ISSUES PRODUCED BY THE INDUSTRIAL RESEARCH UNIT OF THE WHARTON SCHOOL, UNIVERSITY OF PENNSYLVANIA, THE MONOGRAPH SYNTHESIZES BACKGROUND INFORMATION, CASE LAW, AND COMMENTARY PERTAINING TO THE AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1977, WHICH MAKES IT ILLEGAL FOR EMPLOYERS TO DISCRIMINATE ON THE BASIS OF AGE; THE REHABILITATION ACT OF 1973, WHICH REQUIRES FEDERAL CONTRACTORS TO TAKE AFFIRMATIVE ACTION IN HIRING HANDICAPPED PERSONS; AND THE VIETNAM ERA VETERANS' READJUSTMENT ASSISTANCE ACT OF 1974, WHICH SETS FORTH AFFIRMATIVE ACTION REQUIREMENTS FOR HIRING VETERANS. SEPARATE SECTIONS EXAMINE THE BACKGROUND, ENFORCEMENT MECHANISMS, AND IMPACT OF EACH LAW, TOGETHER WITH RELATED COURT DECISIONS AND PROCEDURAL ISSUES. EMPHASIS IS PLACED ON HOW THE LAWS HAVE BEEN APPLIED IN PRACTICE, ON QUESTIONS OF PUBLIC POLICY, AND ON THE EXPERIENCES OF EMPLOYERS IN COMPLYING WITH THE LAWS. PARTICULAR ATTENTION IS DIRECTED TO THE ISSUE OF MANDATORY RETIREMENT, THE SCOPE OF COVERAGE OF THE REHABILITATION ACT, THAT LAW'S IMPACT ON PHYSICAL EXAMINATIONS AND OTHER EMPLOYMENT SCREENING DEVICES, THE LIMITED NEED FOR THE VIETNAM-ERA VETERANS LAW, THE COSTS INVOLVED IN ENFORCING THE LAWS, AND AGENCY OVERLAP IN THE ADMINISTRATION OF FEDERAL ANTIDISCRIMINATION LAWS. THE WISDOM OF ASSUMING THAT INEQUALITY IN EMPLOYMENT OPPORTUNITIES IS MERELY A MATTER OF FAILED ENFORCEMENT IS QUESTIONED. THE POSSIBILITY OF FOCUSING PUBLIC POLICY ON THE CREATION OF REAL OPPORTUNITIES FOR DISADVANTAGED GROUPS, RATHER THAN ON THE EXPANSION OF LEGAL BOUNDARIES, IS RAISED. APPENDED MATERIALS INCLUDE COPIES OF THE LAWS AND SUMMARIES OF THE STATUS OF STATE LAWS PERTAINING TO AGE DISCRIMINATION AND THE HANDICAPPED. SUBJECT AND CASE INDEXES ARE PROVIDED. SEE NCJ-59551 FOR A SUPPLEMENT.

Supplemental Notes: LABOR RELATIONS AND PUBLIC POLICY SERIES.

Sponsoring Agencies: PEW MEMORIAL TRUST, 1569 WALNUT STREET, PHILADELPHIA PA 19102; GENERAL ELECTRIC FOUNDATION, 1285 BOSTON AVENUE, BRIDGEPORT CT 06602; UNIVERSITY OF PENNSYLVANIA WHARTON SCHOOL INDUSTRIAL RESEARCH UNIT RESEARCH ADVISORY GROUP, VANCE HALL / CS, PHILADELPHIA, PA 19104.

Availability: UNIVERSITY OF PENNSYLVANIA WHARTON SCHOOL INDUSTRIAL RESEARCH UNIT, VANCE HALL / CS, PHILADELPHIA PA 19104.

167. **J. P. NORTHRUP. OLD AGE, HANDICAPPED AND VIETNAM-ERA ANTIDISCRIMINATION LEGISLATION—SUPPLEMENT.** UNIVERSITY OF PENNSYLVANIA WHARTON SCHOOL INDUSTRIAL RESEARCH UNIT, VANCE HALL / CS, PHILADELPHIA PA 19104. 100 p. 1978. **NCJ-59551**

A FEDERAL LAW PROHIBITING COMPULSORY RETIREMENT FOR MOST EMPLOYEES PRIOR TO AGE 70 IS EXAMINED, TOGETHER WITH DEVELOPMENTS IN THE ENFORCEMENT OF LAWS PERTAINING TO AFFIRMATIVE ACTION FOR THE HANDICAPPED AND VETERANS. THE DOCUMENT IS A SUPPLEMENT TO A MONOGRAPH ON FEDERAL LAWS PROHIBITING AGE DISCRIMINATION IN EMPLOYMENT AND REQUIRING FEDERAL CONTRACTORS TO TAKE AFFIRMATIVE ACTION IN HIRING HANDICAPPED PERSONS AND DISABLED AND VIETNAM-ERA VETERANS (SEE NCJ-59550). AMENDMENTS TO THE AGE DISCRIMINATION IN EMPLOYMENT ACT WHICH CHANGE THE AGE LIMIT FOR MANDATORY RETIREMENT FROM 65 TO 70 AND ADD NEW PROCEDURAL REQUIREMENTS FOR THE PROCESSING OF DISCRIMINATION CLAIMS ARE ANALYZED. THE PROVISIONS OF THE AMENDMENTS, RELATED PROCEDURAL ISSUES, AND THE POTENTIAL IMPACT OF THE AMENDMENTS ON EMPLOYEE BENEFIT PLANS AND PERFORMANCE EVALUATION ARE DISCUSSED, WITH DETAILED ATTENTION TO IMPACT ON PENSION PLANS, DEATH BENEFIT PLANS, LONG-TERM DISABILITY, AND MEDICAL BENEFIT PLANS. THE SUPPLEMENT ALSO REVIEWS CHANGES IN THE ENFORCEMENT OF THE REHABILITATION ACT OF 1973 (AFFIRMATIVE ACTION FOR HANDICAPPED PERSONS) AND THE VIETNAM ERA VETERANS' READJUSTMENT ASSISTANCE ACT OF 1974 (AFFIRMATIVE ACTION FOR DISABLED AND VIETNAM-ERA VETERANS) NOTING THAT THE OFFICE OF FEDERAL CONTRACT COMPLIANCE (OFCC) HAS COMBINED THE TWO LAWS IN ONE ENFORCEMENT EFFORT AND HAS ADOPTED A PROACTIVE STRATEGY OF COMPLIANCE REVIEWS. ATTENTION IS ALSO DIRECTED TO CASES THAT MAY EFFECT THE DEFINITION OF 'HANDICAPPED' AND 'REASONABLE ACCOMMODATION' UNDER THESE LAWS. A COPY OF THE MANDATORY RETIREMENT AMENDMENTS, WORK FORCE STATISTICS, AN OUTLINE OF OFCC COMPLIANCE PROCEDURES AND OTHER SUPPORTING MATERIALS ARE INCLUDED.

Supplemental Notes: SUPPLEMENT TO LABOR RELATIONS AND PUBLIC POLICY SERIES NO 14.

Sponsoring Agency: PEW MEMORIAL TRUST, 1569 WALNUT STREET, PHILADELPHIA PA 19102.

Availability: UNIVERSITY OF PENNSYLVANIA WHARTON SCHOOL INDUSTRIAL RESEARCH UNIT, VANCE HALL / CS, PHILADELPHIA PA 19104.

168. **J. L. PAUL, D. J. STEDMAN, and G. R. NEUFELD, Eds. DEINSTITUTIONALIZATION—PROGRAM AND POLICY DEVELOPMENT.** SYRACUSE UNIVERSITY PRESS, 1011 EAST WATER STREET, SYRACUSE NY 13210. 317 p. 1977. **NCJ-51886**

CONTRIBUTORS TO THIS BOOK EXAMINE THEORETICAL, ORGANIZATIONAL, POLITICAL, LEGISLATIVE, ECONOMIC, AND PROGRAMMATIC ASPECTS OF DEINSTITUTIONALIZATION FOR HANDICAPPED CHILDREN. THE LACK OF PREPLANNING FOR DEINSTITUTIONALIZATION HAS RESULTED IN A NUMBER OF SERIOUS PROBLEMS THAT INCLUDE COMMUNITY READINESS FOR AND CITIZEN ATTITUDES TOWARD INSTITUTIONAL PATIENTS, ARCHAIC BUILDING AND HOUSING CODES, INACCESSIBLE TRANSPORTATION SYSTEMS AND COMMUNITY SERVICES, APPROPRIATE EMPLOYMENT OR TRAINING, AND LACK OF SOCIAL AND MEDICAL SERVICES. FACTORS TO CONSIDER TO COMPLETE THE BONDING PROCESS BETWEEN HANDICAPPED PERSONS, FAMILIES, AND THE COMMUNITY AFTER DEINSTITUTIONALIZATION ARE PERSONAL TRANSITION, OVERCOMING COMMUNITY RESISTANCE, AND FAMILY UNDOING. FAMILY UNDOING REFERS TO THE FACT THAT DEINSTITUTIONALIZATION, IN MOST CASES, REQUIRES PAINFUL REVERSAL AND REVISITATION OF PRIOR DECISIONS TO SEPARATE A MEMBER FROM THE FAMILY. THE ADVENT OF A HANDICAPPED PERSON, PARTICULARLY A CHILD, TO A FAMILY OR THE DISCOVERY OF AN EXCEPTIONAL CHILD CAN LEAD TO DISORGANIZATION, AMBIVALENCE, GRIEF, HOSTILITY, AND DOUBT FOR MANY FAMILIES. OBSERVABLE CATEGORIES OF FAMILY PATTERNS FOR EVALUATING THE IMPACT OF HANDICAPPED CHILDREN ON FAMILY INTEGRITY INVOLVE OLDER PARENTS, THE ISOLATED COUPLE, THE PROFESSIONAL FAMILY, THE LOW-INCOME FAMILY, THE DISTURBED FAMILY, THE LARGE FAMILY, THE BROKEN HOME, THE RELIGIOUS FAMILY, AND THE 'AVERAGE' FAMILY. THE 17 CHAPTERS IN THE BOOK ARE ORGANIZED ACCORDING TO THREE SECTIONS: (1) DEFINITIONAL ASPECTS OF DEINSTITUTIONALIZATION; (2) THEORETICAL ASPECTS OF DEINSTITUTIONALIZATION; AND (3) STRUCTURES AND STRATEGIES RELEVANT TO DEINSTITUTIONALIZATION. AN INDEX IS INCLUDED.

Supplemental Notes: NO 12 IN SYRACUSE SPECIAL EDUCATION AND REHABILITATION MONOGRAPH SERIES.

Availability: SYRACUSE UNIVERSITY PRESS, 1011 EAST WATER STREET, SYRACUSE NY 13210.

169. **VERA INSTITUTE OF JUSTICE, 30 EAST 39TH STREET, NEW YORK NY 10018. ANOTHER APPROACH TO WELFARE—PUTTING THE RECIPIENTS AND THE MONEY TO WORK.** 12 p. 1975. **NCJ-58145**

A LOOK AT THE 1935 ORIGINS OF THE THREE COMPONENTS OF THE UNITED STATES WELFARE SYSTEM (SOCIAL INSURANCE, CATEGORICAL PUBLIC ASSISTANCE, AND STATE-LOCAL AID) LEADS INTO A REVIEW OF THE NEW YORK CITY WILDCAT EXPERIMENT. WHEN THE SOCIAL SECURITY ACT OF 1935 WAS PASSED, IT WAS INTENDED TO MEET A TEMPORARY NEED. BUT 40 YEARS LATER THE UNITED STATES HAS ESSENTIALLY THE SAME 1935 PROGRAMS. SOCIAL INSURANCE PROGRAMS INCLUDE OLD AGE, DISABILITY, AND UNEMPLOYMENT INSURANCE. THESE PROGRAMS ARE ALMOST UNIVERSALLY APPROVED AND REQUIRE ONLY A SMALL AMOUNT OF PUBLIC SUPPORT OTHER THAN PAYROLL TAXES. CATEGORICAL PUBLIC ASSISTANCE AIDS THE AGED, BLIND, AND DISABLED UNDER THE SUPPLEMENTAL SECURITY INCOME PROGRAM. MANY STATES AND CITIES (ESPECIALLY NEW YORK CITY) ADD TO THIS FEDERAL AID. NEEDY PEOPLE, WHO ARE NOT ELIGIBLE FOR THESE FIRST TWO PROGRAMS, RELY ON STATE AND LOCAL RELIEF PROGRAMS. THIS SYSTEM HAS GIVEN RISE TO A SITUATION IN WHICH THE POOR CANNOT ESCAPE THEIR POVERTY. THE WILDCAT SERVICE CORPORATION BEGAN A NEW YORK CITY PROJECT IN 1972 WHICH USED WELFARE FUNDS, BOLSTERED BY FEDERAL GRANTS, TO PUT UNEMPLOYED EX-OFFENDERS AND EX-ADDICTS TO WORK ON PUBLIC SERVICE PROJECTS. THE PROJECT AIMS TO PLACE PARTICIPANTS IN NONSUPPORTED JOBS. INITIAL RESULTS ARE ENCOURAGING IN THAT OF THE 3,051 SO-CALLED 'UNEMPLOYABLES' WHO ENTERED THE PROGRAM BY JANUARY 1, 1975, 438 HAVE MOVED TO NONSUPPORTED JOBS. THE EXPERIMENT SO FAR SHOWS THAT THE MONETARY BENEFITS OF THIS PUBLIC PROGRAM EXCEED THE COSTS. IN ADDITION, THIS PROGRAM PROVIDES GREATER FLEXIBILITY IN ADMINISTERING WELFARE PROGRAMS AND DEMONSTRATES THAT WELFARE SUBSIDIES CAN BE AN INVESTMENT IN THE FUTURE BY MAKING THE PARTICIPANTS SELF-SUPPORTING. NO REFERENCES ARE INCLUDED.

Availability: NCJRS MICROFICHE PROGRAM.

170. **VIRGINIA SERVICE INTEGRATION FOR DEINSTITUTIONALIZATION PROJECT. SERVICE INTEGRATION FOR DEINSTITUTIONALIZATION (SID)—A REPORT OF A THREE-YEAR RESEARCH AND DEMONSTRATION PROJECT, V 1—SUMMARY.** 84 p. 1975. **NCJ-47643**

IN ADDITION TO PROVIDING AN OVERVIEW OF EACH VOLUME OF THE SERVICE INTEGRATION FOR DEINSTITUTIONALIZATION (SID) REPORT, MAJOR FINDINGS AND RECOMMENDATIONS ARE PRESENTED. SERVICE INTEGRATION FOR DEINSTITUTIONALIZATION (SID) WAS A THREE-YEAR RESEARCH AND DEMONSTRATION PROJECT FUNDED BY A GRANT FROM THE REHABILITATION SERVICES ADMINISTRATION, OFFICE OF HUMAN DEVELOPMENT, UNITED STATES DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE. THE PROJECT WAS A COLLABORATIVE EFFORT AMONG 12 STATE AGENCIES IN THE COMMONWEALTH OF VIRGINIA AND THEIR LOCAL COMMUNITY COUNTERPARTS TO DEVELOP A SYSTEMATIC, SERVICE-INTEGRATING PROCEDURE FOR THE ORDERLY DEINSTITUTIONALIZATION OF RESIDENTS OF STATE AND MENTAL HOSPITALS, TRAINING SCHOOLS FOR THE MENTALLY RETARDED, AND TRAINING SCHOOLS FOR JUVENILE OFFENDERS. A PROCEDURAL MODEL TO MEET THE DEINSTITUTIONALIZATION OBJECTIVE WITHIN THE CONTEXT OF SERVICE INTEGRATION METHODOLOGY WAS DEVELOPED AND DEMONSTRATED WITH APPROXIMATELY 500 CLIENTS FROM 2 GEOGRAPHIC AREAS HOUSED AT 11 STATE INSTITUTIONS IN THE COMMONWEALTH. THE MODEL EMBODIES FIVE SOCIOTECHNICAL COMPONENTS, EACH OF WHICH ACTS AS A SERVICE-INTEGRATING MECHANISM DURING THE FLOW OF CLIENT PROCESSING: ASSESSMENT AND PRESCRIPTION TEAM; BROKER ADVOCATE; AUTOMATED INFORMATION SYSTEM; QUALITY CONTROL TEAM; AND COMMITTEE OF COMMISSIONERS. THE STUDY INCLUDED A COST/BENEFIT ANALYSIS DESIGNED TO ASCERTAIN THE FISCAL WISDOM OF CONTINUED INSTITUTIONALIZATION VERSUS COMMUNITY PLACEMENT. STRUCTURE OF THE MODEL IS SUCH THAT IT MAY BE EXTENDED INTO OTHER GEOGRAPHIC REGIONS IN THE COMMONWEALTH OR APPLIED IN OTHER STATES. FINDINGS AND CONCLUSIONS BASED ON BOTH FACTUAL OBSERVATIONS AND HYPOTHESES ARE PRESENTED BY VOLUME. THE PRINCIPAL RECOMMENDATION IS THAT THE MODEL PROCEDURE DEVELOPED BE MAINTAINED UNDER PROGRAMMATIC FUNDING AND PHASED INTO OTHER GEOGRAPHIC AREAS IN VIRGINIA OVER A PERIOD OF YEARS. A FURTHER RECOMMENDATION IS THAT THE SID PROGRAM BE INSTITUTIONALIZED UNDER THE PROVISIONS OF TITLE 20 OF THE SOCIAL SECURITY ACT, WITH 75 PERCENT FEDERAL FUNDS MATCHED WITH 25 PERCENT STATE FUNDS. (AUTHOR ABSTRACT MODIFIED)

Sponsoring Agency: US DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE SOCIAL & REHABILITATION SERVICE, 330 C STREET, SW, WASHINGTON DC 20024.

Availability: NTIS Accession No. PB 225 352; NCJRS MICROFICHE PROGRAM.

171. **VIRGINIA SERVICE INTEGRATION FOR DEINSTITUTIONALIZATION PROJECT. SERVICE INTEGRATION FOR DEINSTITUTIONALIZATION (SID) A REPORT OF A THREE-YEAR RESEARCH AND DEMONSTRATION PROJECT, V 2,—IMPLEMENTATION PROCEDURES.** 115 p. 1975. **NCJ-47644**

PROJECT COORDINATION REQUIREMENTS, CLIENT PROCESSING PROCEDURE, PROGRAM EVALUATION AND RESOURCE PLANNING, PERSONNEL REQUIREMENTS, AND OFFICE MANAGEMENT PROCEDURES ARE DISCUSSED. THE SERVICE INTEGRATION FOR DEINSTITUTIONALIZATION (SID) RESEARCH AND DEMONSTRATION PROJECT DEVELOPED A SYSTEMATIC, SERVICE-INTEGRATING PROCEDURE FOR THE ORDERLY DEINSTITUTIONALIZATION OF MENTALLY ILL, MENTALLY RETARDED, AND JUVENILE OFFENDER RESIDENTS OF STATE INSTITUTIONS. THIS VOLUME OF A MULTIVOLUME FINAL REPORT PRESENTS IMPLEMENTATION PROCEDURES FOR USE BY THOSE INTERESTED IN THE APPLICATION OF THE SID MODEL. IN CONSIDERING COORDINATION REQUIREMENTS, THE DECISION TO IMPLEMENT, DESIGNATION OF PROGRAM DIRECTOR/COORDINATOR, COORDINATION AT STATE AND LOCAL LEVELS, AND MAINTENANCE AND MOVEMENT ARE GIVEN SPECIAL ATTENTION. IN THE PRESENTATION OF THE CLIENTPROCESSING PROCEDURE, IT IS NOTED THAT THE SUCCESS OF THE PROCESS DEPENDS ON RAPID AND ACCURATE TRANSMISSION OF INFORMATION, WITH THE BULK OF THE INFORMATION HAVING TO DO WITH THE INDIVIDUAL CLIENT. THE MODEL IS SHOWN TO PROVIDE STRUCTURED PROCEDURES FOR THE COLLECTION, COMPILATION, AND DISSEMINATION OF THIS CLIENT DATA. EVALUATION AND RESOURCE PLANNING ARE PRESENTED TO SHOW THAT THE MOST USEFUL INFORMATION COMES FROM RESPONSES TO EMPIRICAL QUESTIONS GENERATED BY THE PROGRAM'S OBJECTIVES. PERSONNEL AND THEIR FUNCTIONS ARE IDENTIFIED AND DISCUSSED. IT IS INDICATED THAT OFFICE MANAGEMENT PROCEDURES ARE ESSENTIALLY ACCOMMODATED TO THE PARTICULAR STATE'S PERSONNEL AND PAY REGULATIONS AND THE WORK REQUIREMENTS OF THE PROGRAM. TABLES ON AUTOMATED INDIVIDUAL CASE MANAGEMENT REPORTS AND PROGRAM EVALUATION REPORTS ARE INCLUDED, AND THE APPENDIXES CONTAIN DETAILED DISCUSSIONS AND SAMPLE FORMS PERTAINING TO MATTERS DISCUSSED IN THE BODY OF THE REPORT.

Sponsoring Agency: US DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE SOCIAL & REHABILITATION SERVICE, 330 C STREET, SW, WASHINGTON DC 20024.

Availability: NTIS Accession No. PB 255 353; NCJRS MICROFICHE PROGRAM.

172. **VIRGINIA SERVICE INTEGRATION FOR DEINSTITUTIONALIZATION PROJECT. SERVICE INTEGRATION FOR DEINSTITUTIONALIZATION (SID)—A REPORT OF A THREE YEAR RESEARCH AND DEMONSTRATION PROJECT, V 3—AUTOMATED INFORMATION SYSTEM.** 204 p. 1975. **NCJ-47645**

AN AUTOMATED INFORMATION SYSTEM FOR A DEMONSTRATION PROJECT THAT RETURNS INSTITUTIONALIZED INDIVIDUALS TO THE COMMUNITY IS DOCUMENTED. THE INFORMATION SYSTEM WAS DESIGNED TO MEET THE DATA GATHERING NEEDS OF A DEMONSTRATION PROJECT WHOSE OPERATIONAL OBJECTIVE WAS THE DEVELOPMENT OF A SYSTEMATIC, SERVICE-INTEGRATING PROCEDURE FOR THE DEINSTITUTIONALIZATION OF RESIDENTS OF STATE INSTITUTIONS IN VIRGINIA. THE THREE TYPES OF CLIENTS ADDRESSED WERE THE MENTALLY ILL, THE MENTALLY RETARDED, AND JUVENILE OFFENDERS. THE DOCUMENTATION CONSISTS OF A SYSTEM NARRATIVE WHICH GIVES A COMPLETE PROSE DESCRIPTION OF EVERY ASPECT OF THE SYSTEM, OTHER THAN TECHNICAL DETAILS OF PROGRAM MECHANISMS. ALSO INCLUDED ARE APPENDIXES CONTAINING CARD AND RECORD FORMATS, DOCUMENTATION REPORTS, AND INFORMATION RELATING TO DISCUSSION ELSEWHERE IN THE DOCUMENTATION. SAMPLE PRINTOUTS ARE PROVIDED OF REPORTS DISCUSSED IN THE SYSTEM NARRATIVE. DISCUSSIONS OF THE TECHNICAL DETAILS OF SELECTED PROGRAMS ARE PROVIDED, AND ALL PROGRAMS WITH COMPILER-PRODUCED, SORTED CROSS-REFERENCES ARE LISTED, AS ARE PROGRAM-FLOW CROSS-REFERENCES. THE USE OF DYL-250, A LEASED COMPUTER PROGRAM, IS DESCRIBED AS AN INTEGRAL PART OF THE SYSTEM.

Sponsoring Agency: US DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE SOCIAL & REHABILITATION SERVICE, 330 C STREET, SW, WASHINGTON DC 20024.

Availability: NTIS Accession No. PB 255 354; NCJRS MICROFICHE PROGRAM.

173. **VIRGINIA SERVICE INTEGRATION FOR DEINSTITUTIONALIZATION PROJECT. SERVICE INTEGRATION FOR DEINSTITUTIONALIZATION (SID)—A REPORT OF A THREE-YEAR RESEARCH AND DEMONSTRATION PROJECT—V 3 SUPPLEMENT—PRINTOUTS FOR AUTOMATED INFORMATION SYSTEM.** 161 p. 1975. **NCJ-47646**

SAMPLE PRINTOUTS ARE PROVIDED REGARDING THE SYSTEM NARRATIVE UNDERTAKEN IN THE THIRD VOLUME OF AN EIGHT-VOLUME SET DEALING WITH THE DEINSTITUTIONALIZATION OF INDIVIDUALS HELD IN VIRGINIA. THE DATA PROVIDED HERE IS INTENDED TO SUPPLEMENT THE THIRD VOLUME (SEE NCJ-47645) WHICH DETAILS THE AUTOMATED INFORMATION SYSTEM OF A DEMONSTRATION PROJECT REGARDING THE DEINSTITUTIONALIZATION OF MENTALLY ILL, MENTALLY RETARDED, AND JUVENILE OFFENDER CLIENTS HELD IN STATE INSTITUTIONS.

Sponsoring Agency: US DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE SOCIAL & REHABILITATION SERVICE, 330 C STREET, SW, WASHINGTON DC 20024.

Availability: NTIS Accession No. PB 255 355; NCJRS MICROFICHE PROGRAM.

174. **VIRGINIA SERVICE INTEGRATION FOR DEINSTITUTIONALIZATION PROJECT. SERVICE INTEGRATION FOR DEINSTITUTIONALIZATION (SID)—A REPORT OF A THREE-YEAR RESEARCH AND DEMONSTRATION PROJECT, V 5—COST/BENEFIT ANALYSIS.** 229 p. 1975. **NCJ-47648**

A COST-BENEFIT ANALYSIS OF THE VIRGINIA SERVICE INTEGRATION FOR DEINSTITUTIONALIZATION (SID) PROJECT IS PRESENTED IN THIS FIFTH VOLUME OF AN 8-VOLUME SERIES. A CONSULTING FIRM WAS CONTRACTED TO WORK WITH THE PROJECT STAFF IN DEVELOPING A METHODOLOGY FOR THE COST-BENEFIT ANALYSIS OF THE SID PROJECT. THE METHODOLOGY WAS TO BE OF SUFFICIENT DETAIL TO ALLOW SID STAFF TO CONDUCT DATA ENTRY AND ANALYSIS INDEPENDENTLY. THE BASIS OF THIS COST-BENEFIT ANALYSIS WAS TO DETERMINE WHETHER THE PROCESS OF DEINSTITUTIONALIZING THE RESIDENTS OF STATE INSTITUTIONS WAS BENEFICIAL WITH REGARD TO THE COSTS INVOLVED. THE METHODOLOGICAL APPROACH ADDRESSES ECONOMICALLY MEASURABLE COSTS AND BENEFITS, PROJECTED OVER A 10-YEAR PERIOD, IN THE SUCCESSFUL OPERATION OF THE SID MODEL TO DEINSTITUTIONALIZE AND MAINTAIN MENTALLY ILL AND MENTALLY RETARDED CLIENTS IN THE COMMUNITY. VARIOUS STEPS WERE TAKEN: (1) A STRATIFICATION MATRIX BASED ON THREE VARIABLES WAS USED TO GROUP CLIENTS; (2) MEASURABLE COSTS AND BENEFIT ELEMENTS WERE IDENTIFIED; (3) NECESSARY ADJUSTMENTS FOR FRINGE BENEFITS, OVERHEAD, AND OTHER FACTORS WERE IDENTIFIED, AND RATES ATTACHED TO EACH; (4) PROJECTIONS REGARDING THE INDIVIDUAL CLIENT'S SERVICE REQUIREMENTS OVER THE NEXT 10 YEARS WERE MADE BY THE ASSIGNED BROKER ADVOCATE;

(5) DOLLAR AMOUNTS FOR EACH MEASURABLE COST AND BENEFIT ELEMENT WERE CALCULATED ON AN INDIVIDUAL CLIENT BASIS, AND (6) CALCULATIONS RESULTING IN BENEFIT/COST RATIOS FOR EACH OF 12 STRATA CONTAINING CLIENTS AND EACH OF 10 AGGREGATE STRATA GROUPS WERE CARRIED OUT. THE DATA SHOW THAT IT IS COST-BENEFICIAL TO PLACE AND MAINTAIN CLIENTS IN THE COMMUNITY AND THAT BENEFITS ACCRUING TO STATE FUNDING SOURCES THROUGH DEINSTITUTIONALIZATION FAR EXCEED THOSE ACCRUING TO FEDERAL FUNDING SOURCES. THE COST-BENEFIT ANALYSIS DOES NOT MEASURE THE PSYCHOSOCIAL BENEFITS TO THE CLIENT AND COMMUNITY ASSOCIATED WITH COMMUNITY PLACEMENT OF INSTITUTIONAL RESIDENTS. THE SID STAFF PLANS TO CARRY OUT THE ANALYSIS AS A PART OF THE CONTINUING PROGRAM EVALUATION. EXTENSIVE TABULAR DATA AND APPENDIXES ARE INCLUDED.

Sponsoring Agency: US DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE SOCIAL & REHABILITATION SERVICE, 330 C STREET, SW, WASHINGTON DC 20024.

Availability: NTIS Accession No. PB 255 357; NCJRS MICROFICHE PROGRAM.

175. **VIRGINIA SERVICE INTEGRATION FOR DEINSTITUTIONALIZATION PROJECT. SERVICE INTEGRATION FOR DEINSTITUTIONALIZATION (SID)—A REPORT OF A THREE-YEAR RESEARCH AND DEMONSTRATION PROJECT, V 6—LEGAL ISSUES.** 312 p. 1975. **NCJ-47649**

THE LEGAL QUESTIONS, ISSUES, AND PROBLEMS ENCOUNTERED IN THE COURSE OF A STATE DEINSTITUTIONALIZATION PROJECT IN VIRGINIA ARE DISCUSSED. VIRGINIA'S (SID) MODEL WAS DEVELOPED TO FACILITATE THE RELEASE TO THE COMMUNITY OF STATE INSTITUTION RESIDENTS AMONG THE FOLLOWING TARGET GROUPS: THE MENTALLY ILL, THE MENTALLY RETARDED, AND THE YOUTHFUL OFFENDER. THE LEGAL ISSUES AND PROBLEMS ENCOUNTERED DURING THE DEVELOPMENT OF AN OPERATIONAL SID MODEL ARE PRESENTED CHRONOLOGICALLY. FIRST, AN ACCOUNTING OF THE LEGAL SOLUTION ATTEMPTED REGARDING EACH OF THE PROBLEMS, ISSUES, OR CONCERNS IS PRESENTED, THEN DETAILS OF THE RESOLUTION OF EACH OF THE CONFLICTS IS DISCUSSED. THE SUBJECT AREAS EXAMINED INCLUDE RIGHT TO TREATMENT, COMMUNITY PLACEMENT, RELEASE OF INFORMATION CONCERNING JUVENILE OFFENDERS, PROTECTION OF HUMAN SUBJECT, DISCHARGE PROCEDURES FOR HOSPITAL RELEASE, THE INTERSTATE COMPACT FOR MENTAL HEALTH, PATIENT LABOR, PLENARY AND PARTIAL GUARDIANSHIP, AND PROSPECTIVE REGULATIONS IMPLEMENTING PATIENT RIGHTS. LEGISLATIVE CHANGES AIMED AT ENCOURAGING DEINSTITUTIONALIZATION ARE PROPOSED, AND EXHIBITS ARE PROVIDED IN AN EFFORT TO MAKE MANY OF THE ISSUES CLEARER. A LIST OF EXHIBITS IS ALSO PROVIDED.

Sponsoring Agency: US DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE SOCIAL & REHABILITATION SERVICE, 330 C STREET, SW, WASHINGTON DC 20024.

Availability: NTIS Accession No. PB 255 358. (Microfiche)

176. **VIRGINIA SERVICE INTEGRATION FOR DEINSTITUTIONALIZATION PROJECT. SERVICE INTEGRATION FOR DEINSTITUTIONALIZATION (SID)—A REPORT OF A THREE-YEAR RESEARCH AND DEMONSTRATION PROJECT, V 7—PLAN FOR EXTENSION.** 165 p. 1975. **NCJ-47650**

A PLAN FOR EXTENDING A DEINSTITUTIONALIZATION MODEL IS PRESENTED AND REACTION TO AND FUNDING FOR THE PLAN ARE DISCUSSED. IT IS NOTED THAT VIRGINIA'S ORIGINAL SERVICE INTEGRATION FOR DEINSTITUTIONALIZATION (SID) MODEL FOR DEMONSTRATING A SYSTEM OF DEINSTITUTIONALIZING MENTALLY ILL, MENTALLY RETARDED, AND JUVENILE OFFENDER CLIENTS HOUSED IN STATE INSTITUTIONS PROPOSED THAT ONCE A PROTOTYPE HAD BEEN CONSTRUCTED AND FOUND TO BE WORKABLE, IT WOULD BE EXTENDED IN APPLICATION. THIS REPORT IS LARGELY A CHRONOLOGY SUMMARIZING THE MAIN EVENTS THAT HAVE OCCURRED IN THE ATTEMPT TO RESOLVE ISSUES SURROUNDING THE CONTINUATION OF THE SID MODEL. IT IS CONCLUDED THAT THE SID PROJECT HAS LOW PRIORITY IN VIRGINIA AND IT IS ARGUED THAT THE STATE'S EXECUTIVE BRANCH HAS NOT YET COME TO VIEW SID AS A VEHICLE THROUGH WHICH NEW ADMINISTRATIVE ARRANGEMENTS CAN BE BROUGHT TO BEAR UPON OLD PROBLEMS. IT INDICATED THAT THE LESSON LEARNED IN THE SID QUEST FOR EXTENSION AND FUNDING IS THAT STATE AGENCIES, AT LEAST IN VIRGINIA, CANNOT BE EXPECTED TO ALIGN THEMSELVES VOLUNTARILY INTO A SERVICE INTEGRATION POSTURE WHEN IT ENTAILS JOINT POOLING OF FUNDS. IT IS ARGUED THAT IF ADMINISTRATIVE SERVICE INTEGRATION AT THE STATE LEVEL IS TO BECOME OPERATIONAL, IT MUST HAVE THE MANDATE OF EITHER THE GOVERNOR OR, PREFERABLY, THE GENERAL ASSEMBLY. APPENDIXES INCLUDE A STAFF STUDY ON CONTINUATION OR DELETION OF SID, CORRESPONDENCE, AND A PLAN FOR CONTINUATION OF THE SID PROGRAM BEYOND JUNE 30, 1975.

Sponsoring Agency: US DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE SOCIAL & REHABILITATION SERVICE, 330 C STREET, SW, WASHINGTON DC 20024.

Availability: NTIS Accession No. PB 255 359; NCJRS MICROFICHE PROGRAM.

177. **VIRGINIA SERVICE INTEGRATION FOR DEINSTITUTIONALIZATION PROJECT. SERVICE INTEGRATION FOR DEINSTITUTIONALIZATION (SID) PROJECT—ASSESSMENT AND PRESCRIPTION (A AND P) TEAM MANUAL.** 105 p. 1975. **NCJ-47651**

THE STRUCTURE, FUNCTIONS, AND PROCEDURES OF A MODEL DEINSTITUTIONALIZATION PROJECT'S ASSESSMENT AND PRESCRIPTION TEAM ARE EXAMINED. THE SERVICE INTEGRATION FOR DEINSTITUTIONALIZATION (SID) PROJECT IS A RESEARCH AND DEMONSTRATION MODEL DESIGNED TO ESTABLISH A SYSTEMATIC PROCEDURE FOR THE ORDERLY DEINSTITUTIONALIZATION OF RESIDENTS OF STATE INSTITUTIONS IN VIRGINIA WHILE ENCOURAGING INTEGRATION OF EXISTING SERVICES THROUGHOUT THE STATE. THE THREE TYPES OF INSTITUTIONALIZED PERSONS ADDRESSED BY THE PROJECT ARE THE MENTALLY ILL, THE MENTALLY RETARDED, AND THE JUVENILE OFFENDER. A CENTRAL COMPONENT IN THE DEINSTITUTIONALIZATION CONCEPT IS THE ASSESSMENT AND PRESCRIPTION (A AND P) TEAM. THESE TEAMS ARE COMPOSED OF A COALITION OF PROFESSIONALS FROM THE INSTITUTIONS AND LOCAL COMMUNITIES AFFECTED BY THE PROJECT. A TYPICAL A AND P TEAM HAS FROM 10 TO 12 MEMBERS. THE TEAM ASSESSES EACH CLIENT, MAKES A DECISION WITH RESPECT TO INDIVIDUAL SUITABILITY FOR DEINSTITUTIONALIZATION, AND WRITES PRESCRIPTIONS DETAILING SERVICES REQUIRED TO ENABLE CLIENTS TO ACHIEVE TENURE IN THE COMMUNITY, OR IN THE CASE OF NONCANDIDATES FOR DEINSTITUTIONALIZATION, TO MAXIMIZE CLIENT FUNCTIONING WITHIN THE INSTITUTION. APPENDED MATERIALS INCLUDE COMPLETED AND BLANK CLIENT FORMS, AN ASSESSMENT SUMMARY, PRESCRIPTION DOCUMENTS, AND CLIENT STATUS UPDATE REPORTS.

Sponsoring Agency: US DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE SOCIAL & REHABILITATION SERVICE, 330 C STREET, SW, WASHINGTON DC 20024.

Availability: NTIS Accession No. PB 254 843; NCJRS MICROFICHE PROGRAM.

REFERENCE MATERIALS

178. **J. L. BARKAS. HELP BOOK.** CHARLES SCRIBNER'S SONS, 597 FIFTH AVENUE, NEW YORK NY 10017. 680 p. 1979. **NCJ-63371**

THIS ANNOTATED DIRECTORY LISTS PROGRAMS, ORGANIZATIONS, AND PUBLIC AND PRIVATE AGENCIES THAT OFFER AID FOR A WIDE VARIETY OF PROBLEMS. THIS COMPREHENSIVE, ANNOTATED DIRECTORY OFFERS NAMES, ADDRESSES, TELEPHONE NUMBERS, AND SERVICES OF OVER 5,000 ORGANIZATIONS, PROGRAMS, AND PUBLIC AND PRIVATE AGENCIES THAT OFFER ASSISTANCE IN DEALING WITH MANY PROBLEMS. THE DIRECTORY IS A GUIDE FOR FINDING INFORMATION, LITERATURE, DIRECT AID, AND REFERRALS, AND COVERS THE BROAD AREAS OF HEALTH, THE FAMILY, COUNSELING, EDUCATION, WOMEN'S ISSUES, CRIME, CITIZEN ACTION, EMERGENCIES, AND EMPLOYMENT. A GUIDE TO USING THE DIRECTORY IS INCLUDED. AMONG THE TOPICS COVERED BY THE DIRECTORY ARE ADOPTION AND FOSTER CARE, AGING, ALCOHOLISM, ARTS, ANIMAL RIGHTS, BATTERED ADULTS AND CHILDREN, CHILDBEARING, CIVIL RIGHTS, COURTS, CRIME VICTIMS AND WITNESSES, DRUGS, SMOKING, AND DRUG ABUSE. ALSO ADDRESSED ARE EMERGENCY FIRST AID, FAMILY PLANNING, FINANCIAL ASSISTANCE IN THE ARTS, EDUCATION, FOOD AND HEALTH, GAMBLING, GAY LIBERATION, GUN CONTROL, HANDICAPS, HOUSING, HEALTH, INFORMATION RIGHTS AND RESOURCES, AND LAW ENFORCEMENT. IN ADDITON, CITATIONS TOUCH ON MEDIA AND COMMUNICATIONS, MENTAL RETARDATION AND LEARNING DISABILITIES, OFFENDERS AND EX-OFFENDERS, POLITICAL ACTION, RAPE AND SEXUAL ASSAULT, SUICIDE PREVENTION, AND VETERANS. DRAWINGS ARE INCLUDED.

Availability: CHARLES SCRIBNER'S SONS, 597 FIFTH AVENUE, NEW YORK NY 10017.

179. **J. R. BRANTLEY and M. KRAVITZ, Eds. ETIOLOGY OF CRIMINALITY—NONBEHAVIORAL SCIENCE PERSPECTIVES—A DEFINITIVE BIBLIOGRAPHY.** NATIONAL CRIMINAL JUSTICE REFERENCE SERVICE, BOX 6000, ROCKVILLE MD 20850. 51 p. 1979. **NCJ-60117**

POSSIBLE BIOLOGICAL CAUSES OF CRIMINAL BEHAVIOR ARE THE FOCUS OF STUDIES BY BIOLOGICAL AND PHYSICAL SCIENTISTS IN THIS ANNOTATED BIBLIOGRAPHY. IT IS A COMPILATION OF 1955 TO 1979 MATERIALS IN THE NCJRS COLLECTION. COMPILED FROM MATERIALS IN THE NCJRS COLLECTION PUBLISHED FROM 1955 TO 1979, THE BIBLIOGRAPHY REFLECTS THE CUMULATIVE RESEARCH ON THE RELATIONSHIP BETWEEN BIOLOGICAL FACTORS AND CRIMINALITY. AMONG THE TOPICS EXPLORED ARE THE INFLUENCE OF EPILEPTIC DISORDERS, LEARNING DISABILITIES, MINIMAL BRAIN DYSFUNCTIONS, VISUAL PROBLEMS AMONG DELINQUENTS, NEUROLOGICAL ABNORMALITIES, AND DISORDERS OF THE BRAIN OR DISTURBANCES IN ITS CHEMICAL BALANCE. GENETIC STUDIES EXAMINE THE POSSIBILITY OF INHERITABLE ASPECTS OF CRIMINALITY. STUDIES ON DISORDERS IN THE ENDOCRINE AND LIMBIC SYSTEMS ARE PRESENTED, ALONG WITH THOSE ON PSYCHOPHYSIOLOGICAL INDICES, GALVANIC SKIN RESPONSES, AND BIOCHEMICAL BALANCES. MATERIALS INCLUDE BOOKS, JOURNAL ARTICLES, RESEARCH REPORTS, AND PROJECT DOCUMENTATION. A FEW FOREIGN LANGUAGE MATERIALS ARE CITED. THE 324 CITATIONS ARE ARRANGED ALPHABETICALLY BY TITLE; AUTHOR AND SUBJECT INDEXES ARE APPENDED. THE NCJ ACCESSION NUMBERS, BIBLIOGRAPHIC INFORMATION, AND AVAILABILITY SOURCES ARE PROVIDED.

Sponsoring Agency: US DEPARTMENT OF JUSTICE LEAA NATIONAL INSTITUTE OF LAW ENFORCEMENT AND CRIMINAL JUSTICE, 633 INDIANA AVENUE NW, WASHINGTON, DC 20531.
Availability: GPO Stock Order No. 027-000-00866-6; NCJRS MICROFICHE PROGRAM.

180. **J. DUFFIN. MENTALLY RETARDED CITIZENS—DIRECTORY OF PROJECTS AND PROGRAMS—PROFESSIONALS IN THE CRIMINAL JUSTICE SYSTEM.** NATIONAL CLEARINGHOUSE FOR CRIMINAL JUSTICE PLANNING AND ARCHITECTURE, 505 EAST GREEN, SUITE 200, CHAMPAIGN, IL 61820. 9 p. 1975. **NCJ-32909**

ALPHABETICAL LISTING OF 35 SERVICE PROGRAMS AND RESEARCH PROJECTS NATIONWIDE DEALING WITH THE MENTALLY RETARDED OFFENDER AND/OR DELINQUENT. DATA IS PROVIDED ON PROGRAM/PROJECT ADMINISTRATOR, ADDRESS, TELEPHONE, AND PROGRAM/PROJECT SERVICE AREA.

Availability: NCJRS MICROFICHE PROGRAM.

181. **US DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE OFFICE FOR HANDICAPPED INDIVIDUALS, WASHINGTON DC 20201. DIRECTORY OF NATIONAL INFORMATION SOURCES ON HANDICAPPING CONDITIONS AND RELATED SERVICES.** 233 p. 1980. **NCJ-67430**

THE DIRECTORY DOCUMENTS NATIONAL-LEVEL INFORMATION RESOURCES EXISTING FOR HANDICAPPED PERSONS AND THOSE WORKING ON THEIR BEHALF. BOTH INFORMATION AND DIRECT SERVICE PROVIDERS ARE LISTED. A TOTAL OF 285 ORGANIZATIONS ARE LISTED UNDER THE DE-

SCRIPTIVE CATEGORIES OF ADVOCACY, CONSUMER, AND VOLUNTARY HEALTH ORGANIZATIONS; INFORMATION/DATA BANKS (INCLUDING FEDERAL PROJECTS); DATA BASE VENDORS; FEDERAL GOVERNMENT OTHER THAN INFORMATION UNITS; PROFESSIONAL AND TRADE ORGANIZATIONS; FACILITIES, SCHOOLS, AND CLINICS; AND SERVICE ORGANIZATIONS. EACH ENTRY INCLUDES THE ORGANIZATION'S OFFICIAL TITLE, ITS NATIONAL ADDRESS, ITS TELEPHONE NUMBER, AND AN ABSTRACT DESCRIBING THE ORGANIZATION AND ITS INFORMATION SERVICES. APPENDIXES PROVIDE SIMILAR INFORMATION ON RELIGIOUS ORGANIZATIONS SERVING THE HANDICAPPED AND SPORTS ORGANIZATIONS BY AND FOR THE HANDICAPPED, AS WELL AS A LIST OF DIRECTORIES, AN ALPHABETICAL LIST OF ALL ORGANIZATIONS AND FEDERAL PROGRAMS, AND AN INDEX WITH INSTRUCTIONS ON ITS USE.

Availability: GPO. Stock Order No. 017-091-00234-7.

182. **M. E. YOUNG, Ed. VOLUNTEERS IN SOCIAL AND COMMUNITY AFFAIRS—A BIBLIOGRAPHY WITH ABSTRACTS—SEARCH PERIOD COVERED 1964-NOVEMBER 1977.** 95 p. 1977. **NCJ-45834**

AN UPDATED BIBLIOGRAPHY CONTAINING 95 ABSTRACTS OF DOCUMENTS PERTAINING TO VOLUNTEER RECRUITMENT, TRAINING, AND UTILIZATION IN A WIDE VARIETY OF SOCIAL, SUPPORT, REHABILITATION, AND COMMUNITY SERVICES IS PRESENTED. REPORTS ON CITIZEN PARTICIPATION IN GOVERNMENTAL PLANNING AND MANAGEMENT DECISIONS ARE NOT INCLUDED. IN ADDITION TO ABSTRACTS, CATALOGING AND DOCUMENT AVAILABILITY DATA ARE PROVIDED. DOCUMENTS COVER THE PERIOD FROM 1964 TO NOVEMBER 1977, AND INCLUDE EDUCATION/TRAINING MANUALS FOR VOLUNTEERS AND AGENCY RECRUITMENT STAFF, PROGRAM GUIDELINES, PROJECT REPORTS AND EVALUATIONS, BEHAVIORAL STUDIES OF VOLUNTEER MOTIVATION AND VOLUNTEER/STAFF INTERRELATIONSHIPS, BIBLIOGRAPHIES, VOLUNTEER POLICY RESEARCH, AND VOLUNTEER RESOURCES. A SERIES OF 12 HANDBOOKS BY GOODWILL INDUSTRIES PROVIDES INDEPTH INFORMATION ON A VARIETY OF ASPECTS RELATED TO UTILIZATION OF VOLUNTEERS. AMONG THE PROGRAMS UTILIZING VOLUNTEER WORKERS ARE THOSE CONCERNED WITH INMATE AND JUVENILE DELINQUENT REHABILITATION, VOCATIONAL COUNSELING AND TRAINING, HEALTH CARE AND MENTAL HEALTH SERVICES, CITIZEN RESIDENTIAL CRIME PREVENTION AND DETECTION, AND CITIZEN ADVOCACY FOR A WIDE VARIETY OF CAUSES AND ISSUES. TARGET GROUPS FOR SERVICES CONSIST PRIMARILY OF THE SOCIALLY, EMOTIONALLY, MENTALLY, PHYSICALLY, AND ECONOMICALLY HANDICAPPED, OFFENDERS, THE AGED, AND CHILDREN.

Availability: NTIS. Accession No. NTIS/PS-770972. (Microfiche)

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ADDENDA

THE FOLLOWING DOCUMENTS ON THIS SUBJECT WERE ADDED TO THE NCJRS COLLECTION TOO LATE TO BE INCLUDED IN THE MAIN BIBLIOGRAPHY. HOWEVER, BECAUSE OF THEIR RELEVANCE TO THE TOPIC, BASIC BIBLIOGRAPHIC DATA ARE PRESENTED IN THESE ADDENDA.

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